RECORDS

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METROPOLITAN
DISTRICT
COMMISSION

SEPT. 22, 1994
TO
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Record of the Three Thousand Seven Hundred and Second (3702nd) meeting of the Metropolitan District Commission duly called and held at 20 Somerest Street, Boston, Massachusetts, on Thursday, September 22, 1994 at 10:00 a.m.

Present, Commissioner Bhatti and Associate Commissioners Carr, Elkort and Settles.

The Records of the Commission Meeting held on August 25, 1994 were read and approved.

The Secretary submitted for signature the following papers which were signed by the Commissioner and three Associate Commissioners:

1. Contract No. P93-1666-C1A, dated September 22, 1994, with Tri-State Signal, Inc., for Reconstruction of Traffic Signal Systems - Two Locations, Gallivan Boulevard, Dorchester.

2. Amendment, dated September 22, 1994, to Contract-Agreement No. WM93-004-S1A, with Commonwealth Research Group, for Economic Impact Analysis - Watershed Protection Plan.

Action was taken upon the following matters relating to the Engineering and Construction Division:

3. Report of Messrs. Faucher and Sacco, September 15, recommending approval of the request of John J. Paonessa Company, Inc., General Contractor on Contract No. P82-1128-C2A, Rehabilitation of Mystic Valley Parkway, to engage the services of the following sub-contractors -

Leo's Landscape Nursery, Inc.

Item No. 024-030	Lawn Sod	$ 3,649.50
Item No. 024-050	Seeding	$ 35,703.75
Item No. 024-060	Evergreen Trees	$ 14,700.00
Item No. 024-061	Deciduous Trees	$ 46,200.00
Item No. 024-062	Flowering Trees	$ 6,900.00
Item No. 024-063	Shrubs	$ 5,320.00
Item No. 024-080	Trans. Exist. Trees	$ 8,000.00
Item No. 024-081	Trans. Exist. Shrubs	$ 500.00
Item No. 024-082	Wetland Emergents	$ 1,800.00
	Total	**$122,773.25**

Carr-Dee Corp.

Item No. 034-010	Drive Sample Boring	$ 8,100.00
Item No. 034-011	Hollow Stem Boring	$ 6,000.00
Item No. 034-012	Rock Core Boring	$ 4,500.00
Item No. 034-020	Mobilization	$ 250.00
	Total	**$ 18,850.00**

Bell Traffic Signal

Item No. 034-030	Footing Cost Adj.	$ 3,750.00
Item No. 035-010	Traffic Signal #1	$ 55,000.00
Item No. 035-020	Traffic Signal #2	$ 53,000.00
Item No. 035-030	Traffic Signal #3	$ 56,500.00
Item No. 035-040	Traffic Signal #4	$ 25,000.00
Item No. 035-050	Traffic Signal #5	$ 19,000.00
Item No. 036-010	Traffic Signal R & S	$ 5,000.00
Item No. 037-010	High Warning Sign	$ 7,000.00
	Total	**$224,500.00**

(At no increase in Contract Cost).
The Commission V O T E D: Approved as recommended by Messrs. Faucher and Sacco in their report of September 15, 1994.

1. Report of Messrs. Faucher and Lenhardt, September 15, on bids for Replacement of Expansion Joints on the Eliot and Sweetser Bridges, Boston/Everett.
(Messrs. Faucher and Lenhardt recommend acceptance of the lowest bid received, that of N.E.L. Corp., of $64,570.00).
The Commission V O T E D: to accept the lowest bid received, that of N.E.L. Corp., of $64,570.00.

2. Report of Mr. Jackson, September 15, requesting approval of an extension of time from September 30, 1994 to June 30, 1995, on Contract-Agreement No. P93-1668-X1A, with Wallace Floyd Associates, Inc., for 1994 Landscape Architect Services and authorization for Commissioner Bhatti to execute the Amendment on behalf of the Commission.
(At no increase in Contract cost).
The Commission V O T E D: Approved.
The Commission further V O T E D: to authorize Commissioner Bhatti to execute the Amendment on behalf of the Commission.

3. Report of Messrs. Faucher, Haider and Giella, September 20, on bids for Improvements to, Including Painting and Lead Abatement, the Hull Central Services Complex, Nantasket Beach, Massachusetts, Contract No. P95-1756-C1B.
(Messrs. Faucher, Haider and Giella recommend acceptance of the lowest bid received, including Alternate 1 and 2, that of G.V.W., Inc., of $428,435.00).
The Commission V O T E D: to accept the lowest bid received, including Alternate 1 and 2, that of G.V.W., Inc., of $428,435.00.

Action was taken upon the following matters relating to the Watershed Management Division:

4. Report of Messrs. McGinn and Kane, September 13, requesting approval and authorization to advertise Project No. WM94-003-D1A, Remedial Design for Public Safety Considerations, Beaman Street Bridge, West Boylston, Massachusetts.
Estimated Cost - $40,000.00.
Time for Performance - approximately 120 days after receiving notice to proceed.
Account No. 2420-7881.
The Commission V O T E D: Approved.
The Commission further V O T E D: Authorization to advertise.

5. Report of Mr. McGinn, September 13, submitting for approval and execution Quabbin Park Cemetery Deed No. Q-1706, conveying S. E, 1/2 of Lot No. 1255, to Ms. Donna Martin.
The Commission V O T E D: Approved.
The Secretary then submitted for signature Quabbin Park Cemetery Deed No. Q-1706, dated September 22, 1994, which was signed by the Commissioner and two Associate Commissioners.

1. Report of Mr. McGinn, September 13, submitting for approval and execution Quabbin Park Cemetery Deed No. Q-1707, conveying Lot No. 1636, to Mr. James P. and Donna J. Boyko.
The Commission V O T E D: Approved.
The Secretary then submitted for signature Quabbin Park Cemetery Deed No. Q-1707, dated September 22, 1994, which was signed by the Commissioner and two Associate Commissioners.

2. Report of Messrs. McGinn and Kane, September 17, submitting for approval Work Schedule, Project Summary and Project Justification and requesting authorization to solicit bids for Contract No. WM94-007-C1A, for Construction of Expedient Repairs to Goodnough Dike, Quabbin Reservoir, Ware.
Time for Performance - Work should commence on October 10, 1994 and be completed by June 30, 1995.
Estimated Cost - $1,200,000.00.
Account No. 2420-7880.
The Commission V O T E D: Approved.
The Commission further V O T E D: Authorization to solicit bids.

Action was taken upon the following Various Matters:

3. Report of Mr. Jewett, September 17, on behalf of the Consultant Selection Committee, requesting approval of the selection of The Berkshire Group, Inc., for Development of the Blair Pond Restoration Plan - Project No. PL93-026-D1A.
Estimated Cost - $40,000.00.
Time for Performance 12 months.
Account No. 2440-8886.
The Commission V O T E D: Approved.

4. Report of Mrs. O'Brien, September 20, submitting a letter from Charles A. Richards, Trustee, Memorial Realty Trust, in which he withdraws their application for a permit for trucks to travel on Memorial Drive. Based on the withdrawal, Mrs. O'Brien recommends that the Commission vote to rescind the action of August 4, 1994, approving the request in concept pending resolution of legal questions.
The Commission V O T E D: to rescind its action of August 4, 1994, approving the request of Charles A. Richards, Trustee, Memorial Realty Trust, for a permit for trucks to travel on Memorial Drive, in concept pending resolution of legal questions.

Adjourned at 11.25 a.m., to meet on Thursday, September 29, 1994, at 10:00 a.m.

William F. Cushwa
S e c r e t a r y

Record of the Three Thousand Seven Hundred and Third (3703rd) meeting of the Metropolitan District Commission duly called and held at 20 Somerest Street, Boston, Massachusetts, on Thursday, September 29, 1994 at 10:00 a.m.

Present, Commissioner Bhatti and Associate Commissioners Carr, Elkort and Settles.

The Records of the Commission Meeting held on September 8, 1994 were read and approved.

The Secretary submitted for signature the following papers which were signed by the Commissioner and three Associate Commissioners:

1. Contract No. P95-1756-C1B, dated September 29, 1994, with G.V.W., Inc., for Improvements to, Including Painting and Lead Abatement, the Hull Central Services Complex, Nantasket Beach, Massachusetts.

2. Third Amendment, dated September 29, 1994, to Contract-Agreement No. P85-1341-D1D, with Andrew Christo Engineers, for Reconstruction/Rehabilitation of Lynn Shore Drive, Lynn Beach, King's Beach Rehabilitation.

3. Contract No. WM95-001-X1A, dated September 29, 1994, with Framingham Excavating Company, Inc., for Demolition/Removal and Disposal of MDC House at 684 Water Street, Framingham.

Action was taken upon the following matters releating to the Engineering and Construction Division:

4. Report of Mr. Faucher and Mrs. Graves-Jones, September 16, recommending approval of the request of Coviello Electrical & General Contracting Co., Inc., general contractor, on Contract No. P94-1752-M1A, Servicing Traffic Signal and Control Systems, Blue Hills, Old Colony, Middlesex Fells and Revere Beach Districts, to engage the services of Gallup Landscaping Co. Inc., as sub-contractor for -
Item No. 011-010 - Cement Concrete Foundation Removed and Discarded at $300.00 each.
Item No. 011-020 - Cement Concrete Foundation Octagonal Base at $300.00 each.
Total not-to-exceed - $13,200.00.
The Commission V O T E D: Approved as recommended by Mr. Faucher and Mrs. Graves-Jones in their report of September 16, 1994.

5. Report of Mr. Faucher and Mrs. Graves-Jones, September 22, recommending approval of the following revisions in quantities on Contract No. P92-1632-M1A, with Coviello Electric & General Contracting Co., Inc., for Servicing Traffic Signal and Control Systems, Middlesex Fells and Revere Beach Districts -

Item No. 002-010	**$ 2,760.00**
Materials, Components, Parts & Controls	
Item No. 003-020	**$ 1,500.00**
Traffic Signal Knockdown Repairs	
Item No. 004-020	**$ 4,140.00**
Labor Rate for Licensed Electrician (Serviceman)	

Item No. 004-030	**$ 500.00**
Labor Rate for Helper Miscellaneous	
Item No. 005-010	**$ 315.00**
Hour Rate for Vehicle Misc. Repair	
Item No. 006-010	**$ 350.00**
Vehicle Signal Head Single Section 8" Lens	
Item No. 006-020	**$ 1,710.00**
Vehicle Signal Head Single Section 12" Lens	
Item No. 010-010	**$ 405.00**
Traffic Signal Metal Base Octagonal	
Item No. 014-009	**$ 18.00**
Traffic Signal Cable 9 Conductor	
Item No. 019-010	**$ 1,770.00**
Traffic Control Services	
	Total - $13,468.00

(At no increase in Contract cost as sufficient unused quantities remain in Item Nos. 003-010, 007-010, 007-020, 008-010, 008-020, 008-030, 009-010, 011-010, 011-020, 014-015, 014-021, 015-010 and 018-010).
The Commission V O T E D: Approved as recommended by Mr. Faucher and Mrs. Graves-Jones in their report of September 22, 1994.

Action was taken upon the following matters relating to the Watershed Management Division:

1. Report of Messrs. McGinn and Robert O'Connor, September 21, on proposals for the purchase of forest products on Quabbin Reservoir Watershed, Wachusett Reservoir Watershed, Sudbury Reservoir Watershed, and Ware River Watershed.
The Commission V O T E D: to accept the highest qualified bid, that of Doug Garrity, of $485.07; to purchase approximately 37 cords of firewood on Timber Lot No. 678 - Quabbin Reservoir Watershed.
The Commission further V O T E D: to accept the highest qualified bid, that of Allard Brothers Lumber, of $25,151.00; to purchase approximately 177,930 board feet of timber, 51 cords of firewood and 160 softwood cull trees on Timber Lot No. 679 - Quabbin Reservoir Watershed.
The Commission further V O T E D: to accept the highest qualified bid, that of Allard Brothers Lumber, of $37,478.00; to purchase approximately 357,705 board feet of timber, 60 cords of firewood and 124 tons of pulp wood on Timber Lot No. 680 - Quabbin Reservoir Watershed.
The Commission further V O T E D: to accept the highest qualified bid, that of Allard Brothers Lumber, of $25,898.00; to purchase approximately 180,630 board feet of timber, 131 cords of firewood and 40 tons of pulp on Timber Lot No. 681 - Quabbin Reservoir Watershed.
The Commission further V O T E D: to accept the only qualified bid, that of King-Chaffee Logging, of $25,517.00; to purchase approximately 351,870 board feet of timber, 90 cords of firewood and 885 tons of pulp on Timber Lot No. 682 - Quabbin Reservoir Watershed.
The Commission further V O T E D: to accept the highest qualified bid, that of Roland Leclerc, of $37,192.24; to purchase

approximately 370,955 board feet of timber, 99 cords of firewood and 448 tons of pulp wood on Timber Lot No. 683 - Quabbin Reservoir Watershed.
The Commission further V O T E D: to accept the only qualified bid, that of King-Chaffee of $6,101.00; to purchase approximately 84,396 board feet of timber, 53 cords of firewood and 283 tons of pulp on Timber Lot No. 684 - Quabbin Reservoir Watershed.
The Commission further V O T E D: to accept the only qualified bid, that of Roland Leclerc, of $24,809.05; to purchase approximately 90,600 board feet of timber, 178 cords of firewood and 60 cords in tops on Timber Lot No. 633A - Quabbin Reservoir Watershed.
The Commission further V O T E D: to accept the only qualified bid, that of Roland Leclerc, of $4,512.94; to purchase approximately 95,683 board feet of timber, 102 cords of firewood and 328 tons of pulp on Timber Lot No. 685 - Quabbin Reservoir Watershed.
The Commission further V O T E D: to reject the only bid, that of Bosse Logging, of $1,640.00; to purchase approximately 40,682 board feet of timber on Timber Lot No. 116 - Wachusett Reservoir Watershed, inasmuch as this offer falls below the fair market value for this lot.
The Commission further V O T E D: to accept the highest qualified bid, that of T. Jepson & Son, of $10,325.00; to purchase approximately 129,057 board feet of timber, 27 cords of firewood and 98 cords in tops on Timber Lot No. 115 - Wachusett Reservoir Watershed.
The Commission further V O T E D: to accept the highest qualified bid, that of Bosse Logging, of $2,345.00; to purchase approximately 6,053 board feet of timber and 116 cords of firewood on Timber Lot No. 114 - Wachusett Reservoir Watershed.
The Commission further V O T E D: to accept the highest qualified bid, that of Burleigh Stanton, of $631.00; to purchase approximately 52 cords of firewood on Timber Lot No. 113 - Wachusett Reservoir Watershed.
The Commission further V O T E D: to accept the only qualified bid, that of Jacques Caron Tree Service, of $2,090.00; to purchase approximately 2,480 board feet of timber and 152 cords of firewood on Timber Lot No. 15 - Sudbury Reservoir Watershed.
The Commission further V O T E D: to accept the only qualified bid, that of New England Forest Products, of $3,500.00; to purchase approximately 83,510 board feet of timber and 168 cords of firewood on Timber Lot No. 231 - Ware River Watershed.
The Commission further V O T E D: to accept the highest qualified bid, that of Paul Davis, of $11,248.00; to purchase approximately 147,490 board feet of timber on Timber Lot No. 232 - Ware River Watershed.
The Commission further V O T E D: to accept the highest qualified bid, that of T. Jepson & Son, of $300.00; to purchase approximately 266 tons of whole tree wood (Scotch Pine) on Timber Lot No. 233 - Ware River Watershed.
The Commission further V O T E D: to accept the highest qualified bid, that of T. Jepson & Son, of $825.00; to purchase approximately 544 tons of whole tree wood (White Pine) on Timber Lot No. 234 - Ware River Watershed.

The Commission further V O T E D: to accept the highest qualified bid, that of Nelson Malin, of $1,130.00; to purchase approximately 5,150 board feet of timber and 95 cords of firewood on Timber Lot No. 235 - Ware River Watershed.
The Commission further V O T E D: to accept the highest qualified bid, that of Allard Brothers Lumber, of $53,069.00; to purchase approximately 603,040 board feet of timber and 329 cords of firewood on Timber Lot No. 236 - Ware River Watershed.
The Commission further V O T E D: to accept the only qualified bid, that of J. F. Stuart, of $2,377.00; to purchase approximately 21,525 board feet of timber and 193 cords of firewood on Timber Lot No. 237 - Ware River Watershed.
The Commission further V O T E D: to accept the highest qualified bid, that of Allard Brothers Lumber, of $10,105.00; to purchase approximately 87,830 board feet of timber and 15 cords of firewood on Timber Lot No. 238 - Ware River Watershed.
The Commission further V O T E D: to accept the highest qualified bid, that of New England Forest Products, of $1,430.00; to purchase approximately 10,365 board feet of timber and 122 cords of firewood on Timber Lot No. 239 - Ware River Watershed.

1. Report of Mr. McGinn, September 28, submitting for approval and execution Amendment No. 3 to Contract-Agreement No. WM93-001-S1A, with Weston and Sampson Engineers, Inc., for Waste Water Facilities Plan, which calls for an extension of time from September 30, 1994 to December 30, 1994.
(At no increase in Contract cost).
The Commission V O T E D: Approved.
The Secretary then submitted for signature Amendment No. 3, dated September 29, 1994, to Contract-Agreement No. WM93-001-S1A, with Weston and Sampson Engineers, Inc., which was signed by the Commissioner and three Associate Commissioners.

2. Report of Messrs. McGinn and O'Connor, September 28, recommending award and execution of Contract No. WM94-020-C1A, for Electric Deer Fences on Quabbin Reservation, Belchertown, Massachusetts, to Northern Tree Service, Inc., D/B/A Northern Construction Company.
(Northern Construction Company was the only bidder with a bid of $49,432.00).
The Commission V O T E D: to accept the only bid received, that of Northern Construction Company, of $49,432.00.
The Secretary then submitted for signature Contract No. WM94-020-C1A, dated September 29, 1994, with Northern Construction Company, which was signed by the Commissioner and three Associate Commissioners.

Action was taken upon the following Various Matters:

3. Report of Mrs. O'Brien, September 21, recommending renewal of the Permit to Sydney Robert McPherson to operate a Water Taxi Service from Mary O'Malley Park, Chelsea to Rowe's Wharf, Boston, for a one year period from Permit execution.
The Commission V O T E D: Approved.

1. Report of Mr. Jewett, September 27, requesting authorization to accept equipment and furnishings from Messrs. Louis and Robert Gusmini, operators of the 37th Hole Restaurant at Ponkapoag Golf Course, in exchange for foregoing payment due, pursuant to the concession agreement. Mr. Jewett further requests authorization for the Secretary of the Commission to advertise a Request for Proposals.

Mr. Jewett stated that MDC staff participated in extensive negotiations with Mr. Louis Gusmini, President of the 37th Hole Restaurant, prior to the request, and all are in full agreement with the proposal.

Mr. Jewett then noted that on June 23, 1994, the Commission reviewed a request of Mr. Gusmini for a change in compensation to be paid to the MDC and the Commission then voted to keep the payment owed by Mr. Gusmini for the 1993 season at 20% of gross revenues. The Commission also voted, to approve an adjustment for the 1994 season in which Mr. Gusmini was to pay 20% of gross revenues for the first $100,000.00 - 0% of gross revenues for the second $100,000.00 and 20% of all gross revenues over $200,000.00, he explained. The Commission further voted that after reviewing the Concessionaire's revenue receipts, for the 1994 season, a recommendation is to be submitted to the Commission by the Concession Selection Committee relative to compensation to be paid to the Commission for 1995-1996 and 1997 seasons.

Mr. Jewett then noted that a letter, was received by Miss Jane Connolly, Director of Recreational Facilities and Programs, dated July 26, 1994, from Mr. Gusmini's Attorney, in which she was notified that the Concessionaire could no longer operate the restaurant due to a serious injury to his son, and further, the facility was operating at a substantial loss which Mr. Gusmini could no longer afford and therefore, he was planning to close the restaurant permanently on August 7, 1994. However, the Concession Selection Committee was able to convince Mr. Gusmini to keep the Restaurant open until September 5, 1994.

Following receipt of the letter, several meetings were held at which time the Concession Selection Committee was informed that it was the intention of the Concessionaire to remove and sell all kitchen and other equipment and furnishings, Mr. Jewett explained. Mr. Jewett then stated that Mr. Gusmini also planned to transfer the existing beer and wine license, issued by the Town of Canton, to another party.

Mr. Jewett then noted that Mr. Gusmini had originally spent $100,000.00 to develop a food service operation along with extensive improvements to the Clubhouse dining area. This included a fully equipped kitchen and food service area, at a cost of $45,000.00, plus labor costs for work and other amenities in the dining area at a cost of $55,00.00, he noted.

Mr. Jewett then stated that he felt that the exchange was favorable for both the MDC and the Concessionaire. Mr. Jewett explained that if the Commission did not look favorably on Mr. Gusmini's request, the Concessionaire would remove all the equipment and furnishings from the concession area and dining area.

Mr. Jewett then noted that negotiations with the Concessionaire

have been finalized and he felt that staff has reached a favorable trade-off with the Concessionaire.
Associate Commissioner Elkort stated that she felt that the Concessionaire had over extended himself in purchasing top of the line kitchen equipment and furnishing the Clubhouse area. She then stated that customers using the concession stand are not big spenders and therefore, in the future, the menu should be limited to basic food items, not a wide variety of food as served by Mr. Gusmini.
Associate Commissioner Carr noted that the cost of the equipment is outlined in the depreciation schedule and that the Concessionaire was within the book value of the cost of the equipment.
The Commission then addressed the matter of setting a fee for a new Concessionaire. Miss Connolly stated that she is in the process of contacting the operators of other public courses concerning the matter of concession fees and how they are set. Associate Commissioner Carr asked that private courses also be contacted concerning concession fees.
The Commission V O T E D: approved as requested by Mr. Jewett in his report of September 27, and further outlined in Messrs. Gusmini's letter of September 22, 1994, as follows:

37th HOLE RESTAURANT
PONKAPOAG GOLF COURSE
2167 WASHINGTON STREET
CANTON, MA 02021
(508) 653-8848

September 22, 1994

Jane C. Connolly
Director of Recreational
Facilities and Programs
Metropolitan District Commission

Subject: 37th Hole Restaurant
Ponkapoag Golf Course

Since our meeting on September 1 and subsequent telephone conversations, we agree, as an absolute minimum, to the following resolution:

(1) We will transfer and release to the MDC all of our right, title and interest, free of all encumbrances and liens, to the restaurant - equipment, furniture and building renovations and improvements located at 37th Hole Restaurant, Ponkapoag Golf Course, the personality being shown on Attachment "A".

(2) We will relinquish all interest and rights we have in the Beer and Wine License and agree to participate in any meetings or hearings required to effectuate a transfer of the license by the Town of Canton to a new operator of the refreshment concession at Ponkapoag Golf Course.

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(3) As consideration for these obligations, the MDC, by vote of the Commission will accept the terms and conditions a recited herein as payment in full of the 1993 and 1994 concession compensation.

(4) We agree to execute a release to the Commonwealth of Massachusetts for any and all claims for compensation arising out of the furnishings and operation of the restaurant concession. The MDC agrees to execute a release to Louis P. Gusmini and Robert J. Gusmini for all compensation that may be due or become due from the operation of the concession.

We wish to thank the M.D.C., Commissioner Bhatti, Jane Connolly, Butch Roche, Kelly Straton and their colleagues for their cooperation and assistance over these past few years. For us, this sad occasion is only brightened by our knowing that we are leaving behind a professionally designed kitchen equipped with top of the line equipment and a seating area with a panoramic view that is the envy of most other courses.

/s/ Louis P. Gusmini
LOUIS P. GUSMINI
Treasurer

/s/ Robert J. Gusmini
ROBERT J. GUSMINI
President

The Commission further V O T E D: to authorize the Secretary of the Commission to advertise a Request for Proposals.

1. Report of Mr. Jewett, September 28, on behalf of the Consultant Selection Committee, requesting approval of the selection of Planners Collaborative, Inc., for Project No. P93-023-S1A - Master Plan and Design Drawings for both the Neponset River Estuary and Pope John Paul II Park. Estimated Cost - $350,00.00. Time of Performance - approximately 12 months. Account No. 2449-8755. The Commission V O T E D: Approved.

The following matters were placed on the agenda for the information of the Commission:

2. The following schedules were approved for payment by the Commissioner during the period from Aug. 22, 1994 to Aug. 29, 1994.
Expenditures $1,369,965.82

3. The following schedules were approved for payment by the Commissioner during the period from Aug. 29, 1994 to Sept. 5, 1994.
Expenditures $1,949,558.06

4. The following schedules were approved for payment by the Commissioner during the period from Sept. 5, 1994 to Sept. 12, 1994.
Expenditures $ 33,158.98

Adjourned at 11:50 a.m., to meet on Thursday, October 6, 1994, at 10:00 a.m.

William J. Cusholm
Secretary

Record of the Three Thousand Seven Hundred and Fourth (3704th) meeting of the Metropolitan District Commission duly called and held at 20 Somerest Street, Boston, Massachusetts, on Thursday, October 6, 1994 at 10:00 a.m.

At this point, the Commission welcomed new Associate Commissioner Charles F. Wu, who was sworn in by Commissioner Bhatti and Secretary Chisholm prior to the start of today's meeting.

Present, Commissioner Bhatti and Associate Commissioners Carr, Elkort, Settles and Wu.

The Records of the Commission Meeting held on September 15, 1994 were read and approved.

Action was taken upon the following matter relating to the Engineering and Construction Division:

1. Report of Messrs. Baratta and Jackson, October 4, requesting an increase in funding by $20,000.00, on Contract No. P93-1668-X1A, with Wallace Floyd Associates, Inc., for Professional Landscape Architect Services.
Account No. 2440-8956.
The Commission V O T E D: Approved.

Action was taken upon the following matter relating to the Planning Division:

2. Report of Mrs. O'Brien, October 3, requesting approval and execution of Contract-Agreement No. PL92-010-S2A, with Howe Surveying Associates, Inc., for Mapping and Bounding Services for the Alewife Brook Reservation and an Alewife Brook Parkway Segment.
Total Cost $21,032.00.
Account No. 2410-7872.
The Commission V O T E D: Approved.
The Secretary then submitted for signature Contract-Agreement No. PL92-010-S2A, dated October 6, 1994, with Howe Surveying Associates, Inc., which was signed by the Commissioner and four Associate Commissioners.

Adjourned at 11:15 a.m., to meet on Thursday, October 13, 1994, at 10:00 a.m.

William F. Chisholm
Secretary

Record of the Three Thousand Seven Hundred and Fifth (3705th) meeting of the Metropolitan District Commission duly called and held at 20 Somerest Street, Boston, Massachusetts, on Thursday, October 20, 1994 at 10:00 a.m.

Present, Commissioner Bhatti and Associate Commissioners Carr, Elkort, Settles and Wu.

The Records of the Commission Meeting held on September 22, 1994 were read and approved.

The Secretary submitted for signature the following paper which was signed by the Commissioner and three Associate Commissioners:

1. Contract No. P94-1747-C1A, dated October 20, 1994, with N. E. L. Corporation, for Replacement of Expansion Joints on the Eliot and Sweetser Bridges, Boston/Everett.

Action was taken upon the following matters relating to the Engineering and Construction Division:

2. Report of Messrs. Faucher and Haider, October 4, submitting for approval Work Schedule, Project Summary, Project Justification and requesting authorization to advertise Project No. P94-1751-C1A, for Installation of a Natural Gas Fired Infrared Heating System in the Maintenance Shed at the Ponkapoag Golf Course, Canton,
Massachusetts.
Estimated Cost $16,000.00.
Account No. 2440-4000.
The Commission V O T E D: Approved.
The Commission further V O T E D: Authorization to advertise.

3. Report of Mr. Faucher and Ms. Pomorska, October 3, recommending approval of the request of Tri-State Signal, Inc., General Contractor on Contract No. P93-1666-C1A, for Reconstruction of Traffic Signals Systems, Two Locations on Gallivan Boulevard, at the Intersections of Dorchester Avenue and Washington Street, Dorchester, to engage the services of Charles Construction Co., as sub-contractor for -

Item No. 8	3" Galvanized Steel Conduit	- $22,500.00
Item No. 9	2" Galvanized Steel Conduit	- $ 4,400.00
Item No. 20	Handicap Ramp	- $16,000.00
Item No. 23	Cement Concrete Sidewalk	- $ 9,000.00
Item No. 24	Removal & Reconstruction of Median Island	- $ 6,000.00
Item No. 25	Granite Edgestone-Straight	- $ 500.00
Item No. 26	Granite Edgestone-Curved	- $ 4,000.00
Item No. 27	Granite Curb Remove & Reset	- $ 400.00
	Total	- $62,800.00

(At no increase in Contract cost).
The Commission V O T E D: Approved.

Action was taken upon the following matters relating to the Watershed Management Division:

1. Report of Messrs. McGinn and Robert O'Connor, October 7, requesting authorization to enter into Contract No. WM-075-S1A, with Dennis D'Amore, Geohydrologist, to complete a Land Development Environmental Impact Assessment of the Proposed Bayberry Commons Development in West Boylston.
Cost not-to-exceed $10,000.00.
Time of Performance November 1, 1994 to December 30, 1994.
Account No. 2420-1400.
The Commission V O T E D: Approved.

2. Report of Messrs. McGinn and Kane, October 20, on bids for Construction of Expedient Repairs to Goodnough Dike, Quabbin Reservoir, Ware, Massachusetts, Contract No. WM94-007-C1A.
Account No. 2420-7880.
(Messrs. McGinn and Kane recommend acceptance of the low bid, that of Wes Construction Corporation of $1,084,465.00).
The Commission V O T E D: to accept the lowest bid, that of Wes Construction Corporation of $1,084,465.00.

Action was taken upon the following Various Matters:

3. Report of Mrs. O'Brien, October 10, submitting for approval and execution an Agreement by and between the Massachusetts Highway Department and the Metropolitan District Commission Governing the Charles River Crossing Mitigation Measures Eligible for Federal Funding.
The Commission V O T E D: Approved.
The Secretary then submitted for signature Agreement, dated October 20, 1994, by and between the Massachusetts Highway Department and the Metropolitan District Commission Governing the Charles River Crossing Mitigation Measures Eligible for Federal Funding, which was signed by the Commissioner and four Associate Commissioners.

4. Report of Messrs. Baratta and Traficante, October 12, requesting authorization to solicit bids for Lead Paint Testing at 12 Brainerd Street, Hyde Park.
Cost not-to-exceed $1,000.00.
Account No. 2410-7872.
The Commission V O T E D: Approved.

The following matters were placed on the agenda for the information of the Commission:

5. The following schedules were approved for payment by the Commissioner during the period from September 12, 1994 to September 19, 1994.

Expenditures $ 554,832.98

6. The following schedules were approved for payment by the Commissioner during the period from September 19, 1994 to September 26, 1994.

Expenditures $ 271,991.77

1. The following schedules were approved for payment by the Commissioner during the period from September 26, 1994 to October 3, 1994.

Expenditures $1,648,819.15

2. The following schedules were approved for payment by the Commissioner during the period from October 3, 1994 to October 10, 1994.

Expenditures $ 406,076.63

Adjourned at 11:20 a.m., to meet on Thursday, October 27, 1994, at 10:00 a.m.

William J. Cusbolm
Secretary

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Record of the Three Thousand Seven Hundred and Sixth (3706th) meeting of the Metropolitan District Commission duly called and held at 20 Somerest Street, Boston, Massachusetts, on Thursday, October 27, 1994 at 10:00 a.m.

Present, Commissioner Bhatti and Associate Commissioners Carr, Elkort, Settles and Wu.

The Records of the Commission Meeting held on September 29, 1994 were read and approved.

The Secretary submitted for signature the following papers which were signed by the Commissioner and three Associate Commissioners:

1. Contract-Agreements, dated October 27, 1994, for Rain Gauge Observer Services with Arthur Collidge, Doris E. Cornwell, Glenn M. Dickson, John Guzik, John T. Flanagan, Jr., Dennis S. Moore, Kathryn R. Murdock, David Rota, and Worcester Horticultural County Citizens.

The Secretary then submitted for signature the following paper which was signed by the Commissioner and four Associate Commissioners:

2. Contract No. WM94-007-C1A, dated October 27, 1994, with Wes Construction Corporation, for Construction of Expedient Repairs to Goodnough Dike, Quabbin Reservoir, Ware, Massachusetts.

Action was taken upon the following matters relating to the Engineering and Construction Division:

3. Report of Messrs. Faucher and Carrigan, October 11, recommending approval of the request of Bardon Trimount, Inc., General Contractor on Contract No.P94-1732-C1A, for Resurfacing of MDC Parkways at Various Locations Throughout the Metropolitan District, to engage the services of the following sub-contractors -

L & C Flashing Barricades, Inc.

Item No. 016-010	**$ 54,340.00**
4" Reflect. Pavement Markings (Thermo)	
Item No. 017-010	**$ 2,100.00**
8" Reflect. Pavement Markings (Thermo)	
Item No. 010-010	**$ 9,400.00**
12" Reflect. Pavement Markings (Thermo)	
Item No. 019-010	**$ 2,437.50**
Reflect. Pavement Symbols & Legends (Thermo)	
Item No. 022-010	**$ 1,400.00**
Temporary Pavement Markings 4" Painted	

ROU Construction

Item No. 004-010	**$ 15,000.00**
Catch Basins & Manholes Adjusted to Grade	
Item No. 006-010	**$ 5,400.00**
Utility Boxes Adjusted to Grade	
Item No. 024-010	**$ 1,680.00**
Rebuilding of Deteriorated Catch Basins or Drop Inlets Excluding Cost of Castings	

Item No. 026-010		**$ 23,280.00**
Rebuilding of Deteriorated Manholes		
Excluding Cost of Casting		
Tri-State Signal, Inc.		
Item No. 020-010		**$ 18,400.00**
Traffic Signal Detector Loops		
Don Martin Corp.		
Item No. 007-010		**$252,037.50**
Bituminous Concrete		
	Total	**$363,395.00**

(At no increase in Contract cost).
The Commission V O T E D: Approved as recommended by Messrs. Faucher and Carrigan in their report of October 11, 1994.

1. Report of Messrs. Faucher and Machado, October 14, on bids for Installation of Closure Gates, Guard Rail and Fences at Various Locations of the Metropolitan District Park System, Contract No. P94-1734-C1A.
Account No. 2490-8910.
(Messrs. Faucher and Machado recommend acceptance of the low bid, that of Citiworks of $546,947.00).
The Commission V O T E D: to accept the lowest bid received, that of Citiworks of $546,947.00.

2. Report of Messrs. Faucher and Sacco, October 12, recommending approval of the request of John J. Paonessa Company, Inc., General Contractor on Contract No. P82-1128-C2A, for Rehabilitation of Mystic Valley Parkway and a Portion of South Border Road, Winchester, to engage the services of the following sub-contractors -

Liddell Brothers, Inc.		
Item No. 038-010 - Street Name Sign		**$ 378.00**
Item No. 038-020 - 24" Warning Cluster		**$ 160.00**
Item No. 038-030 - Warn Reg & Rt Mark		**$ 3,690.00**
Item No. 038-040 - Sign Support Post		**$ 4,725.00**
Item No. 040-010 - Temp 4" Pave Mark		**$ 100.00**
Item No. 040-011 - Temp 6" Pave Mark		**$ 70.00**
Item No. 041-010 - Pave Mark Removal		**$ 225.00**
Item No. 028-010 - 4" Thermo Line-Wh		**$ 6,325.00**
Item No. 028-020 - 4" Thermo Line-Yel		**$ 5,750.00**
Item No. 028-030 - 8" Thermo Line-Wh		**$ 55.00**
Item No. 028-040 - Cross w/Stop Lines		**$ 300.00**
	Sub-Total	**$ 21,808.00**
Mass Bay Electrical Corp.		
Item No. 030-009 - Light Pole-Winch R&R		**$ 1,100.00**
Item No. 030-010 - Light Pole MDC		**$334,000.00**
Item No. 030-011 - Luminaire MDC		**$ 96,000.00**
Item No. 030-012 - Light Pole-Winchester		**$ 20,220.00**
Item No. 030-013 - Luminaire-Winchester		**$ 8,520.00**
Item No. 030-016 - Cable #1/0		**$ 15,221.00**
Item No. 030-017 - Cable #4/0		**$ 1,272.00**
Item No. 030-018 - Cable #1		**$157,070.00**
Item No. 030-019 - Cable #2 Ground		**$ 140.00**
Item No. 030-020 - Cable #4		**$ 1,480.00**
Item No. 030-021 - Cable #6		**$ 810.00**

Item No. 030-022	- Cable #6 Ground	**$ 10,500.00**
Item No. 030-023	- Cable #8 Ground	**$ 200.00**
Item No. 030-024	- Cable #10	**$ 150.00**
Item No. 030-026	- Load Center #1	**$ 5,500.00**
Item No. 030-027	- Load Center #2	**$ 2,500.00**
Item No. 030-028	- Load Center #3	**$ 5,500.00**
Item No. 030-029	- Lighting Transformer	**$ 3,400.00**
Item No. 031-011	- Elect Handhole 18x24	**$ 8,400.00**
Item No. 031-012	- Elect Handhole 18x18	**$ 240.00**
Item No. 031-020	- Pull Box 12x12	**$ 840.00**
Item No. 036-021	- Light Pole R & S	**$ 3,500.00**
	Sub-Total -	**$676,563.00**
	Grand-Total =	**$698,371.00**

(At no increase in Contract cost).
The Commission V O T E D: Approved.

Action was taken upon the following matters relating to the Watershed Management Division:

1. Report of Messrs. McGinn and Robert O'Connor, October 20, recommending the following on Project No. WM94-011-X1A, for Wachusett Private Lands Forestry Services -
that the Commission amend its vote of May 26, 1994 on Project No. WM94-011-X1A, for Wachusett Private Lands Forestry Services as follows -
Service Dates
Change July 1, 1994 to June 30, 1995 to read
November 15, 1994 to November 14, 1995.
Project Cost
Increase in project cost from $11,809.40 to $41,809.40
(The increase in cost to be covered by a federal grant which was awarded to the MDC).
Messrs. McGinn and O'Connor further recommend that Project No. WM94-011-X1A, for Wachusett Private Lands Forestry Services, be awarded to Rexford V. N. Baker.
Messrs. McGinn and O'Connor further recommend that the Commission execute the contract.
Account No. 2420-1400.
The Commission V O T E D: to amend its vote of May 26, 1994 on Project No. WM94-011-X1A, for Wachusett Private Lands Forestry Services by changing the Service dates to read November 15, 1994 to November 14, 1995 and increasing the project cost from $11,809.40 to $41,809.40.
The Commission further V O T E D: to award Project No. WM94-011-X1A, for Wachusett Private Lands Forestry Services, to Rexford V. N. Baker, as recommended by Messrs. McGinn and O'Connor in their report of October 20, 1994.
The Secretary then submitted for signature Contract-Agreement No. WM94-011-X1A, dated October 27, 1994, which was signed by the Commissioner and four Associate Commissioners.

2. Report of Messrs. McGinn and Robert O'Connor, October 14, submitting for approval Work Schedule, Project Summary, Project Justification and requesting authorization to advertise Project No. WM95-076-S1A, for Land Analyses and Planning Services.

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Cost not-to-exceed $80,000.00.
Time for Performance - November 15, 1994 to October 31, 1995.
Account No. 2420-1400.
The Commission V O T E D: Approved.
The Commission further V O T E D: Authorization to advertise.

Adjourned at 11:15 a.m., to meet on Thursday, November 3, 1994, at 10:00 a.m.

William J. Crutchfield
S e c r e t a r y

Record of the Three Thousand Seven Hundred and Seventh (3707th) meeting of the Metropolitan District Commission duly called and held at 20 Somerest Street, Boston, Massachusetts, on Thursday, November 3, 1994 at 10:00 a.m.

Present, Commissioner Bhatti and Associate Commissioners Elkort, Settles and Wu.

The Records of the Commission Meeting held on October 6, 1994 were read and approved.

Action was taken upon the following matters relating to the Engineering and Construction Division:

1. Report of Messrs. Faucher and Sacco, October 13, requesting ratification of the action of Deputy Director Faucher in undertaking Extra Work Orders 8, 9, 10, 11, 12 and Alteration No. 9, on Contract No. P80-0826-C1A, with M. DeMatteo Construction Co., for Repairs to the Approaches to Huntington Avenue Overpass, Jamaica Plain, as follows -

Extra Work Order No. 8 Installation of Electric Handholes	$1,315.00
Extra Work Order No. 9 Covering and Uncovering Contaminated Material	$4,683.56
Extra Work Order No. 10 Repairs to Stone Columns, Wingwall, Capstones and Guardrail	$5,645.63
Extra Work Order No. 11 Clearing and Grubbing of Planting Areas	$8,061.40
Extra Work Order No. 12 Temporary and Permanent Relocation of 16" Cast Iron Drain Line	$9,402.81
Alteration No. 9 Reimbursement for Chain Link Fencing	$3,384.12

(At no increase in funding as the Extra Work Orders and Alteration cost will be offset by unused quantities in Item No. 036-010 - Traffic Control Services).
The Commission V O T E D: to ratify the action of Deputy Director Faucher in undertaking Extra Work Orders 8, 9, 10, 11, 12 and Alteration No. 9, on Contract No. P80-0826-C1A, as requested by Messrs. Faucher and Sacco in their report of October 13, 1994.

2. Report of Messrs. Faucher and Abounaja, September 13, recommending approval of Extra Work Order No. 9, in the amount of $8,474.17, for emergency response and No. 2 oil spill clean-up at the basement of the MDC Lee Pool facility building, on Contract No. P90-1574-C3A, with Zenone, Inc., for Replacement, Including Disposal of Existing Gasoline and Diesel Fuel Tanks and Appurtenances at Various MDC Locations.
(Funds available in Account No. 2490-8915).
The Commission V O T E D: to approve Extra Work Order No. 9, in the amount of $8,474.17.

3. Report of Messrs. Faucher and Brooks, October 24, recommending the following on Contract No. P92-1650-M1A, with Lewis Refrigeration Co., for Maintenance of Refrigeration Systems -

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(a) That work be accepted as completed as of August 31, 1994.
(b) That Estimate No. 12F (Final), in the amount of $20,937.16, be approved for payment.
(c) That reserve, in the amount of $1,101.96, be approved for payment.

(Basis of Award - $604,800.00)
(Total to Date - $731,103.27)
(Contract Administration Rating - 3.60)
(EEO Compliance - 2.66)

The Commission V O T E D: that the work of Lewis Refrigeration Co., Contractor under Contract No. P92-1650-M1A, for Maintenance of Refrigeration Systems, be and hereby is accepted as completed as of August 31, 1994.
The Commission further V O T E D: to approve Estimate No. 12F (Final), in the amount of $20,937.16, for payment.
The Commission further V O T E D: to approve release of reserve, in the amount of $1,101.96, for payment.

Action was taken upon the following matter relating to the Reservations and Historic Sites Division:

1. Report of Mr. Broderick, October 26, requesting approval of an increase of $31,834.00, (from $56,000.00 to $87,834.00), on Contract-Agreement with Cooperating Association for New England, Inc., (CANEPI) - FY94/95. The increase will allow the Division to retain the services of four (4) full-time CANEPI interns until March 8, 1995.
Account No. 2440-0010.
The Commission V O T E D: Approved.

Action was taken upon the following matter relating to the Watershed Management Division:

2. Report of Mr. McGinn, November 2, requesting approval of an extension of the 1994 shoreline fishing season at Wachusett Reservoir from October 31 through November 19, 1994, as requested by the Division of Fisheries and Wildlife.
The Commission V O T E D: Approved.

Action was taken upon the following Various Matter:

3. Report of Mr. Jewett, October 28, requesting renewal of Contract-Agreement with Daniel F. Coughlin, CPA, to Analyze All Contractors Financial Statements.
Total Compensation not-to-exceed $5,000.00.
Time for Performance July 1, 1994 through June 30, 1995.
Account No. 2410-1000.
The Commission V O T E D: Approved.

The following matter was placed on the agenda for the information of the Commission:

4. The following schedules were approved for payment by the

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Commissioner during the period from October 10, 1994 to October 17, 1994.

Expenditures $538,691.82

Adjourned at 11:20 a.m., to meet on Thursday, November 10, 1994, at 10:00 a.m.

William J. Crushshank
Secretary

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Record of the Three Thousand Seven Hundred and Eighth (3708th) meeting of the Metropolitan District Commission duly called and held at 20 Somerest Street, Boston, Massachusetts, on Thursday, November 10, 1994 at 10:00 a.m.

Present, Commissioner Bhatti and Associate Commissioners Carr, Elkort and Wu.

The Records of the Commission Meeting held on October 20, 1994 were read and approved.

Action was taken upon the following matters relating to the Engineering and Construction Division:

1. Report of Messrs. Faucher and Carrigan, November 7, submitting for approval Work Schedule, Project Justification, Project Summary and requesting authorization to advertise Project No. P85-1341-C1A, for Reconstruction/Rehabilitation of Lynn Shore Drive, Lynn Beach, Kings Beach Seawall Rehabilitation.
Estimated Cost - $10,000,000.00.
Time for Performance - 30 months.
Account Nos. 2440-9848 and 2490-8915.
The Commission V O T E D: Approved.
The Commission further V O T E D: Authorization to advertise.

2. Report of Messrs. Faucher and Yuan, October 31, recommending approval of the following revisions in quantities on Contract No. P94-1711-C1A, with Riteway Steel, Inc., for Parapet Repair Bowker Interchange -
Item No. 001-020 - Concrete Deck Removal and Replaced - $ 193.60
Item No. 006-010 - Pavement Marking Removal - $1,019.23
(At no increase in contract cost as the revisions will be offset by unused quantities in Item Nos. 001-010 and 002-010).
The Commission V O T E D: Approved.

Action was taken upon the following matter relating to the Watershed Management Division:

3. Report of Messrs. McGinn and Orfant, October 27, requesting award of Contract No. WM95-082-S1A, to Nashua River Watershed Association, for Wachusett Watershed Protection/Wachusett Task Force Technical Assistance.
Total Compensation - $25,000.00
Time for Performance - 12 months.
Account No. 2420-1400.
The Commission V O T E D: to award Contract No. WM95-082-S1A, to Nashua River Watershed Association, for Wachusett Watershed Protection/Wachusett Task Force Technical Assistance, as recommended by Messrs. McGinn and Orfant in their report of October 27, 1994.

Action was taken upon the following matter relating to the Reservations and Historic Sites Division:

4. Report of Mr. Broderick, November 8, requesting authorization

to enter into a Contract with Marine Safety Consultants, Inc., for Consultant Services for Repair and Rehabilitation of Nantucket Lightship.
Cost not-to-exceed $5,000.00.
Time of Performance - 10 months.
Account No. 2440-8889.
The Commission V O T E D: Approved as requested by Mr. Broderick in his report of November 8, 1994.

Action was taken upon the following Various Matter:

1. Report of Mr. Duffy, September 21, relative to renewal of the Permit allowing the use of the Charles River Dam Parking Lot by the Boston Bruins Hockey Club for up to 35 vehicles for the sum of $5.00 per vehicle, per day for the 1994-1995 season.
The Commission V O T E D: to approve the renewal of the Permit allowing the use of the Charles River Dam Parking Lot by the Boston Bruins Hockey Club for up to 35 vehicles for the sum of $5.00 per vehicle, per day for the 1994-1995 season.

The following matter was placed on the agenda for the information of the Commission:

2. The following schedules were approved for payment by the Commissioner during the period from October 17, 1994 to October 24, 1994.

Expenditures $546,967.93

Adjourned at 11:30 a.m., to meet on Thursday, November 17, 1994, at 10:00 a.m.

William J. Cusick
S e c r e t a r y

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17,1994

Record of the Three Thousand Seven Hundred and Eighth (3709th) meeting of the Metropolitan District Commission duly called and held at 20 Somerest Street, Boston, Massachusetts, on Thursday, November 17, 1994 at 10:00 a.m.

Present, Commissioner Bhatti and Associate Commissioners Carr, Elkort, Settles and Wu.

The Records of the Commission Meeting held on October 27, 1994 were read and approved.

The Secretary submitted for signature the following paper which was signed by the Commissioner and four Associate Commissioners:

1. Amendment, dated November 17, 1994, to Contract-Agreement with Cooperating Association for New England, Inc. (CANEPI)-FY 94/95.

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The Secretary then submitted for signature the following paper which was signed by the Commissioner and three Associate Commissioners:

2. Contract No. P94-1734-C1A, dated November 17, 1994, with Citiworks, Inc., for Installation of Closure Gates, Guard Rail and Fences at Various Locations of the Metropolitan District Park System.

Action was taken upon the following matters relating to the Engineering and Construction Division:

3. Report of Messrs. Faucher and Carrigan, November 8, requesting ratification and approval of the action of Deputy Director Faucher resulting in revisions in quantities on Contract No. P94-1732-C1A, with Bardon Trimount, Inc., for Resurfacing of MDC Parkways at Various Locations Throughout the Metropolitan District, as follows -

Item No. 011-010 **$ 360.00**
Granite Edgestone Type VA-4 Straight
Item No. 032-010 **$1,160.00**
Grading, Liming, Fertilizing and Seeding
(At no increase in Contract cost as the revisions will be offset by unused quantities in Item No. 014-010 - Pavement Trimming).

The Commission V O T E D: to ratify and approve the action of Deputy Director Faucher, which resulted in revisions in quantities on Item No. 011-010 and Item No. 032-010, on Contract No. P94-1732-C1A, with Bardon Trimount, Inc., for Resurfacing of MDC Parkways at Various Locations Throughout the Metropolitan District.

4. Report of Messrs. Faucher, Jackson and Baratta, November 2, requesting ratification and approval of the action of Deputy Director Faucher resulting in Alteration No. 1 and Extra Work Order Nos. 3, 4 and 5, on Contract No. P93-1661-C1A, with I. W. Harding Construction Co., Inc., for Improvements to Father Francis A. Ryan Memorial Playground, as follows -

Alteration No. 1 (Estimated Cost) - $ 6,750.00
Furnish New Basketball Court Fence
Fabric
Extra Work Order No. 3 (Estimated Cost) - $ 1,600.00
Installation of Rip-Rap at Pipe Outfall
Extra Work Order No. 4 (Estimated Cost) - $ 6,000.00
Remove and Replace Cement Concrete
Under Building Overhang
Extra Work Order No. 5 (Estimated Cost) - $10,000.00
Remove and Replace Perimeter Fence
Total Estimated Cost - $24,350.00
Account No. 2449-8755.
The Commission V O T E D: to ratify and approve the action of Deputy Director Faucher which resulted in Alteration No. 1 and Extra Work Order Nos. 3, 4 and 5, for a total estimated cost of $24,350.00, on Contract No. P93-1661-C1A, with I. W. Harding Construction Co., Inc., for Improvements to Father Francis A. Ryan Memorial Playground, as requested by Messrs. Faucher, Jackson and Baratta in their report of November 2, 1994.

1. Report of Mr. Faucher and Mrs. Graves-Jones, November 1, recommending the following on Contract No. P92-1632-M1A, with Coviello Electric & General Contracting Co., for Servicing Traffic Signal and Control Systems Middlesex Fells and Revere Beach Districts -
(a) That work be accepted as completed as of August 31, 1994.
(b) That Estimate No. 31 (Final), in the amount of $9,153.24, be approved for payment.
(c) That reserve, in the amount of $1,428.29, be approved for payment.
(Basis of Award - $446,015.00)
(Total to Date - $512,728.92)
(Contract Administration Rating - 3.70)
(EEO Compliance - 3.75)
The Commission V O T E D: that the work of Coviello Electric & General Contracting Co., Contractor under Contract No. P92-1632-M1A, be and hereby is accepted as completed as of August 31, 1994.
The Commission further V O T E D: to approve Estimate No. 31 (Final), in the amount of $9,153,24, for payment.
The Commission further V O T E D: to approve release of reserve, in the amount of $1,428.29, for payment.

3. Report of Messrs. Faucher and Traficante, November 10, submitting for approval Project Summary, Project Justification, Work Schedule and requesting authorization to advertise Project No. P95-1766-X1A, for Industrial Hygiene Services for M.D.C. Facilities.
Estimated Cost - Not-To-Exceed $230,000.00.
Time for Performance - 30 months.
Account Nos. 2441-9952 - Parks $180,000.00 and 2420-1400 - Watershed $50,000.00.
The Commission V O T E D: Approved.
The Commission further V O T E D: Authorization to advertise.

Action was taken upon the following Various Matters:

1. Report of Mrs. O'Brien, November 14, recommending approval of the request of Rob McPherson, Owner/Operator of City Water Taxi Service, to install a float and utilize the MDC gangway at Revere Landing Park, New Charles River Dam, Boston, subject to conditions outlined in his previously approved permit for O'Malley Park, Chelsea.
The Commission V O T E D: to approve the request of Rob McPherson, Owner/Operator of City Water Taxi Service, to install a float and utilize the MDC gangway at Revere Landing Park, New Charles River Dam, Boston, subject to conditions outlined in his previously approved permit for O'Malley Park, Chelsea, as recommended by Mrs. O'Brien in her report of November 14, 1994.

2. Report of Mrs. O'Brien, November 15, submitting for approval Project Summary, Project Justification and requesting permission to invite proposals for Project No. PL-95-031-D1A, for Abigail Adams Park Development, Back River, Weymouth.
Estimated Cost - $50,000.00.
Estimated Time for Performance - 9 months.
Account No. 2440-7958.
The Commission V O T E D: Approved.
The Commission further V O T E D: Permission to invite proposals for Project No. PL-95-031-D1A, for Abigail Adams Park Development, Back River, Weymouth.

3. Report of Mrs. O'Brien, November 15, submitting for approval Project Summary, Project Justification and requesting permission to invite proposals Project No. PL-95-031-D2A, for Site Demolition and Site Preparation - Abigail Adams Park, Back River, Weymouth.
Estimated Cost - $50,000.00
Time for Performance - 9 months.
Account No. 2440-7958.
The Commission V O T E D: Approved.
The Commission further V O T E D: Permission to invite proposals for Site Demolition and Site Preparation - Abigail Adams Park, Back River, Weymouth.

The following matter was placed on the agenda for the information of the Commission:

4. The following schedules were approved for payment by the Commissioner during the period from October 17, 1994 to October 24, 1994.

Expenditures $546,967.93

Adjourned at 11:40 a.m., to meet on Thursday, December 1, 1994, at 9:30 a.m., at the Walter D. Stone Memorial Zoo, Stoneham.

William F. Cusick
S e c r e t a r y

Existing Gasoline Diesel Fuel Tanks and Appurtenances at Various MDC Locations.
Associate Commissioner Elkort did not participate in discussion nor vote on this matter.

1. Report of Messrs. Faucher and Abounaja, October 27, requesting ratification and approval of the action of Deputy Director Faucher resulting in Extra Work Claim No. 6, in the amount of $2,719.75, for additional environmental services to comply with the Massachusetts Contingency Plan for the Ponkapoag Golf Course in Canton and the Brighton-Allston Pool, on Contract No. P90-1574-C3A, with Zenone, Inc., for Replacement, Including Disposal of Existing Gasoline Diesel Fuel Tanks and Appurtenances at Various MDC Locations.
Funds available in Account No. 2490-8915.
The Commission V O T E D: to ratify and approve the action of Deputy Director Faucher which resulted in Extra Work Claim No. 6, in the amount of $2,719.75, for additional environmental services to comply with the Massachusetts Contingency Plan for the Ponkapoag Golf Course in Canton, on Contract No. P90-1574-C3A, with Zenone, Inc., for Replacement, Including Disposal of Existing Gasoline Diesel Fuel Tanks and Appurtenances at Various MDC Locations.
Associate Commissioner Elkort did not participate in discussion nor vote on this matter.

2. Report of Messrs. Jackson, Faucher and Baratta, November 2, recommending approval of their action resulting in Alterations and Extra Work Orders on Contract No. P82-1034-C1B, with Northern Tree Service, Inc., for Improvements to Beaver Brook Reservation, as follows -

ALTERATIONS

Alteration No. 1	**$30,765.00**
Change the wood curb at the new playground to a concrete curb for better longevity	
Alteration No. 2	**$45,419.92**
Various changes in the spray pool area to reduce maintenance requirements, assure proper operation and improve longevity	
Alteration No. 3	**$ 9,346.12**
Additional paving at Visitor Center	
Alteration No. 4	**$ 5,710.12**
Upgrade electrical systems at Visitor Center and Comfort Station to meet codes and operate filter system	

EXTRA WORK ORDERS

Extra Work Order No. 1	**$ 575.00**
Extra Concrete at Bridge Abutment	
Extra Work Order No. 2	**$49,000.00**
Roof Repairs at Visitor Center	
Extra Work Order No. 3	**$50,000.00**
Accessibility improvements to Comfort Station Building (This work to be billed on a time and materials basis)	

Funds available in Account No. 2440-7892.
The Commission V O T E D: Approved as recommended by Messrs. Jackson, Faucher and Baratta in their report of November 2, 1994.

Record of the Three Thousand Seven Hundred and Tenth (3710th) meeting of the Metropolitan District Commission duly called and held at the Walter D. Stone Memorial Zoo, Stoneham, Massachusetts, on Thursday, December 1, 1994 at 9:30 a.m.

Present, Commissioner Bhatti and Associate Commissioners Carr, Elkort and Wu.

The Records of the Commission Meeting held on November 3, 1994 were read and approved.

The Secretary submitted for signature the following paper which was signed by the Commissioner and three Associate Commissioners:

1. Contract-Agreement No. P94-1744-D1A, dated December 1, 1994, with Rizzo Associates, for Engineering Services and Remedial Response Action for the Former Underground Fuel Storage Site, Breakheart Reservation.

Action was taken upon the following matters relating to the Engineering and Construction Division:

2. Report of Messrs. Faucher and Abounaja, September 9, requesting ratification and approval of the action of Deputy Director Faucher resulting in Extra Work Claim No. 4, in the amount of $755.58, for additional environmental services requested by the Canton Conservation Commission at the Ponkapoag Golf Course site, on Contract No. P90-1574-C3A, with Zenone, Inc., for Replacement, Including Disposal of Existing Gasoline Diesel Fuel Tanks and Appurtenances at Various MDC Locations.
Funds available in Account No. 2490-8915.
The Commission V O T E D: to ratify and approve the action of Deputy Director Faucher which resulted in Extra Work Claim No. 4, in the amount of $755.58, for additional environmental services requested by the Canton Conservation Commission at the Ponkapoag Golf Course site, on Contract No. P90-1574-C3A, with Zenone, Inc., for Replacement, Including Disposal of Existing Gasoline Diesel Fuel Tanks and Appurtenances at Various MDC Locations.
Associate Commissioner Elkort did not participate in discussion nor vote on this matter.

3. Report of Messrs. Faucher and Abounaja, October 13, requesting ratification and approval of the action of Deputy Director Faucher resulting in Extra Work Claim No. 5, in the amount of $3,050.20, for additional environmental services to comply with the Massachusetts Contingency Plan for the Ponkapoag Golf Course in Canton, on Contract No. P90-1574-C3A, with Zenone, Inc., for Replacement, Including Disposal of Existing Gasoline Diesel Fuel Tanks and Appurtenances at Various MDC Locations.
Funds available in Account No. 2490-8915.
The Commission V O T E D: to ratify and approve the action of Deputy Director Faucher which resulted in Extra Work Claim No. 5, in the amount of $3,050.20, for additional environmental services to comply with the Massachusetts Contingency Plan for the Ponkapoag Golf Course in Canton, on Contract No. P90-1574-C3A, with Zenone, Inc., for Replacement, Including Disposal of

1. Report of Messrs. Faucher and DiPietro, November 23, submitting for approval Project Summary, Project Justification, Work Schedule and authorization to solicit proposals for Project No. P95-1773-X1A, for Demonstration of Environmentally Sound and Efficient Methods for Algae Management, Nahant Bay Beaches.
Upset Limit - $50,000.00.
Time for Performance - 16 months.
Account No. 2440-1203.
The Commission V O T E D: Approved.
The Commission further V O T E D: authorization to solicit proposals for Project No. P95-1773-X1A, for Demonstration of Environmentally Sound and Efficient Methods for Algae Management, Nahant Bay Beaches.

2. Report of Messrs. Baratta and Jackson, November 9, submitting for approval Project Summary, Project Justification, Work Schedule and requesting authorization to advertise Project No. P92-1628-C4A, for 1995 Parkway Landscape Improvements.
Estimated Cost - $250,000.00.
Time for Performance - 10 months.
Account No. 2490-8910.
The Commission V O T E D: Approved.
The Commission further V O T E D: authorization to advertise Project No. P92-1628-C4A, for 1995 Parkway Landscape Improvements.

3. Report of Messrs. Faucher, Sacco and DeLuca, November 22, submitting for approval Project Summary, Project Justification, Work Schedule and requesting authorization to advertise Project No. P95-1786-C1A, for Sandblasting and Painting - Everett Pool, Chelsea Pool and Stoneham Wading Pool.
Estimated Cost - $100,000.00.
Time for Performance - 1 1/2 months.
Account No. 2440-8952.
The Commission V O T E D: Approved.
The Commission further V O T E D: authorization to advertise Project No. P95-1786-C1A, for Sandblasting and Painting - Everett Pool, Chelsea Pool and Stoneham Wading Pool.

4. Report of Messrs. Faucher, Sacco and DeLuca, November 22, submitting for approval Project Summary, Project Justification, Work Schedule and requesting authorization to advertise Project No. P95-1788-C1A, for Critical Repairs to MDC Swimming Pools and Service Buildings.
Estimated Cost - $500,000.00.
Time for Performance - 4 months.
Account No. 2440-8952.
The Commission V O T E D: Approved.
The Commission further V O T E D: authorization to advertise Project No. P95-1788-C1A, for Critical Repairs to MDC Swimming Pools and Service Buildings.

5. Report of Messrs. Faucher, Sacco and DeLuca, November 22, submitting for approval Project Summary, Project Justification, Work Schedule and requesting authorization to advertise Project

No. P95-1787-C1A, for Pool Filtration Systems - Boston (Lee) Wading Pool, Somerville (Dilboy) Pool and Hyde Park (Olsen Pool).
Estimated Cost - $400,000.00.
Time for Performance - 3 1/2 months.
Account No. 2440-8952.
The Commission V O T E D: Approved.
The Commission further V O T E D: authorization to advertise Project No. P95-1787-C1A, for Pool Filtration Systems - Boston (Lee) Wading Pool, Somerville (Dilboy) Pool and Hyde Park (Olsen Pool).

1. Report of Messrs. Baratta and Jackson, November 22, requesting an extension of time from November 30, 1994 to December 31, 1994, due to a request from residents of Riverdale Park area, Dedham, to have additional work performed at the Park, on Contract No. P92-1628-C3A, with Popico, Inc., D/B/A Holden Farms Nursery, for 1994 Parkway Landscape Improvements.
(At no additional contract cost).
The Commission V O T E D: to approve an extension of time from November 30, 1994 to December 31, 1994, on Contract No. P92-1628-C3A, with Popico, Inc., D/B/A Holden Farms Nursery, for 1994 Parkway Landscape Improvements, as requested by Messrs. Baratta and Jackson in their report of November 22, 1994, to be effective, however, only upon receipt of the written consent of the bonding company, and on condition that no further request will be made for additional compensation.

Action was taken upon the following matters relating to the Watershed Management Division:

2. Report of Mr. McGinn, November 14, submitting for approval Work Schedule, Project Summary and requesting authorization to solicit for Consultant procurement for Project No. WM95-086-S1A, Mediation Services: Sewer Connections and Sewer Use Charger Allocations.
Estimated Cost - $30,000.00.
Time for Performance - 6 to 8 months.
Account No. 2420-1400.
The Commission V O T E D: Approved.
The Commission further V O T E D: authorization to solicit for Consultant procurement for Project No. WM95-086-S1A, Mediation Services: Sewer Connections and Sewer Use Charger Allocations.

3. Report of Mr. McGinn, November 14, submitting for approval Work Schedule, Project Summary and requesting authorization to solicit for consultant procurement for Project No. WM95-085-S1A, Geotechnical Evaluation of Cunningham Ledge, Wachusett Reservoir.
Estimated Cost - $25,000.00.
Time for Performance - 6 to 8 months.
Account No. 2420-1400.
The Commission V O T E D: Approved.
The Commission further V O T E D: authorization to solicit for consultant procurement for Project No. WM95-085-S1A, Geotechnical Evaluation of Cunningham Ledge, Wachusett Reservoir.

1. Report of Mr. McGinn and Ronald O'Connor, November 8, recommending that work be accepted as completed as of June 30, 1994, on Contract No. WM90-007-S1A, with Woodward/Clyde Consultants, Inc., for Quabbin Reservoir Seismic Stability Study.
(Basis of Award - $512,220.00)
(Total to Date - $352,046.75)
(Contract Administration Rating - 8.50 - with 10.00 being excellent)
(EEO Compliance - N/A)
The Commission V O T E D: that the work of Woodward/Clyde Consultants, Inc., Consultant under Contract No. WM90-007-S1A, be and hereby is accepted as completed as of June 30, 1994.

2. Report of Mr. McGinn and Ms. Crocker, November 8, submitting for approval Project Summary, Project Justification, Work Schedule and requesting authorization to enter into a contract with the University of Massachusetts at Amherst for Project No. WM95-087, for Stillwater Drainage Basin Master Plan.
Cost not-to-exceed - $150,000.00.
Time for Performance - 12 months.
Account No. 2420-1400.
The Commission V O T E D: Approved.
The Commission further V O T E D: authorization to enter into a contract with the University of Massachusetts at Amherst for Project No. WM95-087, for Stillwater Drainage Basin Master Plan.

3. Report of Mr. McGinn and Ms. Crocker, November 8, submitting for approval Project Summary, Project Justification, Work Schedule and requesting authorization to advertise for consultant procurement for Project No. WM95-088, for West Boylston Subdivision Regulations Revision.
Cost not-to-exceed - $40,000.00.
Time for Performance - 12 months.
Account No. 2420-1400.
The Commission V O T E D: Approved.
The Commission further V O T E D: authorization to advertise for consultant procurement for Project No. WM95-088, for West Boylston Subdivision Regulations Revision.

4. Report of Messrs. McGinn and Robert O'Connor, November 23, requesting approval of an extension of time from October 31, 1994 to December 15, 1994, on Contract No. WM94-020-C1A, with Northern Tree Service, Inc., D/B/A Northern Construction Company, for Quabbin Electric Deer Fence.
(At no increase in contract cost).
The Commission V O T E D: to approve an extension of time from October 31, 1994 to December 15, 1994, on Contract No. WM94-020-C1A, with Northern Tree Service, Inc., D/B/A Northern Construction Company, for Quabbin Electric Deer Fence, to be effective, however, only upon receipt of the written consent of the bonding company, and on condition that no further request will be made for additional compensation.

Action was taken upon the following matter relating to the Recreational Facilities and Programs Division:

1. Report of Miss Connolly, November 22, submitting for approval and execution Agreement with Charles River Recreation, Inc., for the purpose of providing Cross Country Skiing at the Leo J. Martin Golf Course, Weston, for the period from December 4, 1994 through March 11, 1995.
The Commission V O T E D: Approved.
The Secretary then submitted for signature Agreement, dated December 1, 1994, with Charles River Recreation, Inc., which was signed by the Commissioner and three Associate Commissioners.

Action was taken upon the following matter relating to the Reservations and Historic Sites Division:

2. Report of Mr. Broderick, November 21, requesting permission to enter into a contract with Jon Roll and Associates, Inc., to develop two additional components to the New Sign Manual, which Jon Roll Associates, recently completed for the Commission.
Cost - $5,000.00, plus reimbursable expenses not-to-exceed 15% or $750.00.
Estimated Time for Performance - two months.
Account No. 2410-7872.
The Commission V O T E D: Approved as requested by Mr. Broderick in his report of November 21, 1994.

Action was taken upon the following matters relating to the Office of Real Property:

3. Report of Mr. Gray, November 28, recommending that the Commission adopt an Order of Taking for acquisition of approximately 108 acres of land owned by Albert J. Anthony, et ux, located in the Town of West Boylston, Massachusetts, and to approve an award of damages in the amount of $237,000.00, together with such damages and costs as required under General Laws, Chapter 79, Sections 6, 12, 39 and 44A.
Account No. 2420-8936.

The Commission V O T E D: to adopt an Order of Taking for acquisition of approximately 108 acres of land owned by Albert J. Anthony, et ux, located in the Town of West Boylston, Massachusetts.

ORDER OF TAKING
COMMONWEALTH OF MASSACHUSETTS
METROPOLITAN DISTRICT COMMISSION

Boston, December 1, 1994.

ORDERED: That the Metropolitan District Commission by virtue of the power and authority conferred upon it by Chapter 564 of the Acts of 1987, Chapter 36 of the Acts of 1992, and Section 117 of Chapter 92 of the General Laws, and acts in amendment thereof or in addition thereto and every other power and authority hereto enabling, for the purposes of said acts and provisions, does hereby order the taking of and does hereby take in fee for watershed preservation, protection and operation purposes, under the provisions of Chapter 79 of the General Laws, in the name and behalf of the Commonwealth of Massachusetts, the following described land situated in the Town of West Boylston in the County of Worcester and Commonwealth of Massachusetts, namely:

Two certain parcels of land lying southwesterly of Temple Street - Route 140 and adjoining the main line of the Boston and Maine Railroad, formerly the track of the Worcester and Nashua Railroad, more particularly bounded and described as follows:

Parcel 1:

A certain parcel of land lying on the southwesterly side of Temple Street - Route 140 between said road and the main line of the Boston & Maine Railroad, and on the northerly side of Pierce Street in said West Boylston, bounded and described as follows:

Beginning at a point on the southwesterly sideline of the 1938 Worcester County layout of Temple Street at land now or formerly of Alfred H. and Winifred M. Carl, said point lying 50.01 feet southeasterly of a Worcester County Highway Bound, as measured along the roadway, by a curve with a radius of 924.12 feet;

Thence S. 36° 34′ 59" W. a distance of 185.51 feet to a point;

Thence N. 69° 02′ 55" W. a distance of 107.99 feet to a corner, at land, now or formerly of Michael A., Leslie, and Carol J. Stolicny, the last two courses being by land, now or formerly of A.H. and W.M.Carl, as above;

Thence S. 20° 57′ 05" W. a distance of 17.308 feet to a point;

Thence S. 17° 24′ 55" W. a distance of 200.00 feet to a corner;

Thence N. 69° 52′ 09" W. a distance of 120.00 feet to a corner at land, now or formerly, of William A. and Arlette K. Peterson, the last three courses being by land, now or formerly of M.A., L. and C.J. Stolicny, as above;

Thence N. 69° 52′ 09" W. a distance of 186.72 feet to a corner;

Thence N. 17° 24′ 55" E. a distance of 398.47 feet to a stake on the southwesterly layout line of Temple Street, the last two courses being by land, now or formerly of W.A. and A.K. Peterson;

Thence N. 69° 52′ 05" W. along Temple Street, a distance of 70 feet, more or less, to a point at land, now or formerly of John M. Walsh;

Thence Southwesterly by land, now or formerly of the aforesaid Walsh, a series of five courses, curving gently to the South and West, comprising a total distance of 692.29 feet, more or less, to a point at land reportedly, now or formerly, of the Boston & Maine Railroad, and being the railbed for the "main line" so-called;

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Thence Southeasterly, by the railbed, a distance of 1244.4 feet more or less to a point on the northerly side of Pierce Street;

Thence S. 62° E. by the northerly line of Pierce Street to a point at land formerly of Richardson, now or formerly of Albert J. Anthony;

Thence Northeasterly by land, now or formerly, of Anthony a distance of 200 feet, more or less to a drill hole in the ledge, at a corner, and land, now or formerly, of George A. and Luella K. Peterson;

Thence N. 43° 26′ 05" W. a distance of 141.83 feet to a corner;

Thence N. 46° 33′ 55" E. a distance of 197.42 feet to another corner at land, now or formerly, of Gerald R. Peterson and Carolyn Wesby, the last two courses being by land, now or formerly, of G. A. and L.K. Peterson, as above;

Thence N. 43° 26′ 05" W. a distance of 78.17 feet to a corner;

Thence N. 46° 33′ 55" E. a distance of 175.00 feet to a point on the southwesterly sideline of the 1938 Worcester County layout of Temple Street, the last two courses being by land, now or formerly of the above cited Peterson and Wesby;

Thence N. 43° 26′ 05" W. a distance of 161.49 feet, by the highway layout, to a Worcester County Highway bound set at a point;

Thence N. 43° 26′ 05" W. a distance of 34.56 feet, by the road, to a point of curvature;

Thence Northwesterly by the highway and a curve with a radius of 924.12 feet, a distance of 298.44 feet, more or less, to the first mentioned point and place of beginning. Containing, by estimate, 20.933 acres, more or less.

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Parcel 2:

A certain parcel of land in said West Boylston lying southwesterly of Temple Street and northerly of Hartwell Street, astride the abandoned or discontinued portion of Pierce Street, and adjoining the southwesterly side of the Boston & Maine Railroad "main line" railbed, more particularly bounded and described as follows:

Beginning at the southwestern corner of the property being described at land formerly of Shell Oil Company, now or formerly, of the Town of West Boylston, and land, now or formerly, of Noel Davis etals;

Thence N. 13° 13′ 00" E. a distance of 742.00 feet to a point at a stone wall;

Thence S. 88° 30′ 00" W., by the stone wall, a distance of 273.90 feet to a corner of walls;

Thence S. 70° 37′ 25" W., still by the stone wall, a distance of 239.56 feet to a point;

Thence N. 82° 55′ 45" W., by the wall, a distance of 34.41 feet to a point;

Thence N. 65° 28′ 40" W., still by the wall, a distance of 89.84 feet to a point;

Thence N. 71° 33′ 00" W., following the wall, a distance of 231.42 feet to a corner of walls;

Thence N. 07° 17′ 16" E. a distance of 998.48 feet to a pile of stones, the last seven courses being by land formerly of Donald F. Williams, now or formerly of Noel Davis etals;

Thence N. 01° 26′ 40" E., by land formerly of Katherine B. White, now or formerly of Robert N. and Katherine W. Sawdon, a distance of 95.85 feet to a corner, at land, now or formerly, of Kurt and Barbara J. Koppetsch;

Thence N. 84° 49′ 15" E. a distance of 341.11 feet to a corner of stone walls;

Thence N. 03° 51′ 00" W., by the stone wall, a distance of 196.24 feet to a point;

Thence N. 02° 09′ 45" W., by the wall, a distance of 266.02 feet to a point at land formerly of Walter F. McQuiston, now or formerly, of the McQuiston Family Trust, the last three courses being by land, now or formerly of K. and B.J. Koppetsch, as above;

Thence N. 02° 32′ 35" E., still by the stone wall and land, now or formerly, of McQuiston, a distance of 125 feet to land, now or formerly, of Mary G. Mulcahy;

Thence S. 83° 37′ 30" E. a distance of 100.00 feet to a corner;

Thence N. 03° 33′ 00" W. a distance of 125.00 feet to a point on the southerly line of Pierce Street, formerly referred to as the County Road leading from Holden to Boylston,the last two courses being by land, now or formerly, of M.G. Mulcahy;

Thence Easterly and northerly, following the southerly line of Pierce Street, a distance of 414 feet, more or less, to the end of the traveled way;

Thence Northerly, crossing the street a distance of 37.5 feet, more or less, to an iron pipe in a stone wall at the southeasterly corner of a lot, now or formerly, of Mary L. Anthony;

Thence N. 01° 17′ 15" W. a distance of 123.58 feet to an iron pipe at a corner;

Thence S. 84° 17′ 10" W. a distance of 178.80 feet to a point at land, formerly of Michael J. Kittredge et ux, now or formerly, of Wayne S. and Maryann M. Schelin, the last two courses being by land, now or formerly of M.L. Anthony;

Thence S. 87° 59′ 20" W. a distance of 107.99 feet, by land, now or formerly, of W.S. and M.M. Schelin, as above, to a corner at land, now or formerly, of Ralph S. and Irene E. Jacobsen;

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Thence N. 15° 06′ 00" W. a distance of 370.60 feet, by land, now or formerly, of R.S. and I.E. Jacobsen, as above, to a point in a stone wall at land, now or formerly, of M. Shirley Lamoureaux;

Thence N. 63° 46′ 00" E., by the stone wall, a distance of 137.86 feet, more or less, to a bound at a corner;

Thence N. 55° 15′ 00" W., by land formerly of Cyrus L. Knight, a distance of 513.48 feet, more or less to a bound at a corner, and land, now or formerly, of Jennie M. Smith, and of the Town of West Boylston Housing Authority, respectively, the last two courses being by land, now or formerly, of M.S. Lamoureaux, as above;

Thence N. 55° 30′ 00" E. a distance of 343.86 feet, more or less to a bound;

Thence N. 59° 00′ 00" E. a distance of 466.62 feet, more or less, to a bound at a corner;

Thence N. 20° 30′ 00" W. a distance of 297.00 feet, more or less, to a bound at land formerly of Henry Hennessy, now or formerly, of Philomena M. Tambolleo, the last three courses being by land formerly of Stephen H. Smith, now or formerly, of the Housing Authority, as above;

Thence N. 63° 00′ 00" E. a distance of 240.86 feet, more or less, to the southwesterly side of the railbed which carries the Boston & Maine Railroad "main line", this course being by land, now or formerly of P.M. Tambolleo, as above;

Thence Southerly and westerly by a series of courses and the line of the B.& M. double track railbed, a distance of 4596.12 feet, more or less, to a point at an angle in the railbed;

Thence N. 87° 59′ 14" W., by the angle in the rail bed, and land, now or formerly, of the Town of West Boylston, a total distance of 103.04 feet, more or less, to the first mentioned point and place of beginning. Containing, by estimate, a total area of 84.29 acres, more or less.

Meaning and intending to take hereby the above premises, howsoever the same may be bounded and described, and including any and all fee interest in Temple Street - Route 140, Pierce Street, and the railbed used by the Boston & Maine Railroad, which may be held by the supposed owners, and being all of the remaining lands within the locus currently and jointly held by the supposed owners as described in a series of deeds from Albert J. Anthony to Georgia M. Anthony and Albert J. Anthony, as joint tenants, all dated March 14, 1979 and recorded with the Worcester District Registry of Deeds at Book 6708, Pages 218, 221, 223 and 225.

Parcel 1, as above described, is represented as Lot 1 on Sheet 151, and Lot 15 on Sheet 160 of the West Boylston Assessors Plans.

Parcel 2, as above described, is represented as Lot 58 on Sheet 162, and Lots 30, 31, and 32 on Sheet 159 of the West Boylston Assessors Plans.

AND IN LIKE MANNER, for the same purposes and by virtue of the same powers, the said Metropolitan District Commission does hereby order the taking of and does hereby take in the name and for the benefit of the Commonwealth of Massachusetts, for the purposes of said acts and provisions, all trees on said land and structures affixed to said land, with the exception of the poles, wires, cables, conduits, pipes and their appurtenances, for the conveyance of water, sewage, steam, gas and electricity, and for the transmission of telephone and telegraph communications and data or signals by electrical or electronic or electromagnetic means of any kind, now lawfully in or upon said land, and excluding all easements of record on, over, under, across and through said land.

The Commission awards damages sustained by the supposed owners of the land hereinabove mentioned by reason of said taking, in the following sum:

OWNERS	AWARD
Georgia M. Anthony Albert J. Anthony	$ 237,000.00

The Commission further V O T E D: to approve an award of damages in the amount of $237,000.00, together with such damages and costs as required under General Laws, Chapter 79, Sections 6, 12, 39 and 44A.

1. Report of Mr. Gray, November 28, recommending that the Commission adopt an Order of Taking for acquisition of approximately 30 acres of land owned by Donald R. Kilgour, located in the Town of West Boylston, Massachusetts, and to approve an award of damages in the amount of $131,000.00, together with such damages and costs as required under General Laws, Chapter 79, Sections 6, 12, 39 and 44A.
Account No. 2420-8936.

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The Commission V O T E D: to adopt an Order of Taking for acquisition of approximately 30 acres of land owned by Donald R. Kilgour, located in the Town of West Boylston, Massachusetts.

ORDER OF TAKING
COMMONWEALTH OF MASSACHUSETTS
METROPOLITAN DISTRICT COMMISSION

Boston, December 1, 1994.

ORDERED: That the Metropolitan District Commission by virtue of the power and authority conferred upon it by Chapter 564 of the Acts of 1987, Chapter 36 of the Acts of 1992, and Section 117 of Chapter 92 of the General Laws, and acts in amendment thereof or in addition thereto and every other power and authority hereto enabling, for the purposes of said acts and provisions, does hereby order the taking of and does hereby take in fee for watershed preservation, protection and operation purposes, under the provisions of Chapter 79 of the General Laws, in the name and behalf of the Commonwealth of Massachusetts, the following described land situated in the Town of West Boylston in the County of Worcester and Commonwealth of Massachusetts, namely:

A certain parcel of land on the southwesterly side of Malden Street lying westerly of, but proximate to "Edwards Pond" so called, more particularly bounded and described as follows:

Beginning at a stone bound on the southwesterly side of the said Malden Street at land formerly of Williams, now or formerly of Stratton;

Thence S. 30° 00′ W. a distance of 372.24 feet, following the stone wall, and by land formerly of Williams, now or formerly of Stratton, to a point at an angle in the wall;

Thence S. 75° 45′ W. a distance of 1411.74 feet by the stone wall and lands formerly of Williams and Lovell, now or formerly of Stratton, Lehman, Siddle, Dawson and Nebes, to an angle or corner;

Thence S. 11° 00′ E. a distance of 986.4 by the wall and lands formerly of Lovell and Phelps, now or formerly of Nebes and Whiting etals to a point at land formerly of Goodale, now or formerly of Monk;

Thence N. 78° 00′ E. a distance of 1355.64 feet, by land formerly of Goodale, now or formerly of Monk and Derrah, to an angle;

Thence N. 11° 30′ W. a distance of 277.86 feet, by land formerly of Goodale, now or formerly of Derrah, to a stone bound at land formerly of Harry Moore et ux, now or formerly of Ackert;

Thence By the same course and land formerly of Moore, now or formerly of Ackert, a distance of 625.0 feet to a point 50 feet distant from the second line herein described;

Thence East parallel to the second described line of this tract about 80 feet to an angle;

Thence Northeasterly parallel to the first described line of this tract about 370 feet, more or less, to Malden Street;

Thence N. 54° 30′ W. by Malden Street about 50 feet to the point and place of beginning. Containing about 30 acres by estimate.

Meaning and intending to take hereby the above premises, howsoever the same may be bounded and described, and including any and all fee interest in Malden Street which may be held by the supposed owner, and being the same premises described as the third tract in a deed from Ruth Edwards Kilgour to Vernon E. Kilgour and Ruth Edwards Kilgour, dated November 6, 1956 and recorded with Worcester District Registry of Deeds at Book 3821, Page 202.

Being also described as the second tract in a deed from Dorothy W. Carruth, Executor under the Will of Vernon E. Kilgour, to Robert L. Kilgour and Donald R. Kilgour, as joint tenants with right of survivorship, dated August 31, 1981, and recorded with said Deeds at Book 7324, Page 242.

The above described parcel is represented upon West Boylston Assessors Maps as Parcel 35 on Map 144, shown on Maps 136, 144 and 145.

AND IN LIKE MANNER, for the same purposes and by virtue of the same powers, the said Metropolitan District Commission does hereby order the taking of and does hereby take in the name and for the benefit of the Commonwealth of Massachusetts, for the purposes of said acts and provisions, all trees on said land and structures affixed to said land, with the exception of the poles, wires, cables, conduits, pipes and their appurtenances, for the conveyance of water, sewage, steam, gas and electricity, and for the transmission of telephone and telegraph communications and data or signals by electrical or electronic or electromagnetic means of any kind, now lawfully in or upon said land, and excluding all easements of record on, over, under, across and through said land.

The Commission awards damages sustained by the supposed owner of the land hereinabove mentioned by reason of said taking, in the following sum:

OWNER	AWARD
Donald R. Kilgour	$ 131,000.00

The Commission further V O T E D: to approve an award of damages in the amount of $131,000.00, together with such damages and costs as required under General Laws, Chapter 79, Sections 6, 12, 39 and 44A.

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1. Report of Mr. Gray, November 28, recommending that the Commission adopt an Order of Taking for acquisition of approximately 1.58 acres of land owned by Vitte S. Dayutis, et ux, located in the Town of Sterling, Massachusetts, and to approve an award of damages in the amount of $68,000.00, together with such damages and costs as required under General Laws, Chapter 79, Sections 6, 12, 39 and 44A.
Account No. 2420-8936.
The Commission V O T E D: to adopt an Order of Taking for acquisition of approximately 1.58 acres of land owned by Vitte S. Dayutis, et ux, located in the Town of Sterling, Massachusetts.

ORDER OF TAKING
COMMONWEALTH OF MASSACHUSETTS
METROPOLITAN DISTRICT COMMISSION

Boston, December 1, 1994.

ORDERED: That the Metropolitan District Commission by virtue of the power and authority conferred upon it by Chapter 564 of the Acts of 1987, Chapter 36 of the Acts of 1992, and Section 117 of Chapter 92 of the General Laws, and acts in amendment thereof or in addition thereto and every other power and authority hereto enabling, for the purposes of said acts and provisions, does hereby order the taking of and does hereby take in fee for watershed preservation, protection and operation purposes, under the provisions of Chapter 79 of the General Laws, in the name and behalf of the Commonwealth of Massachusetts, the following described land situated in the Town of Sterling in the County of Worcester and Commonwealth of Massachusetts, namely:

A certain parcel of land lying on the easterly side of Route 140 - Redemption Rock Trail, near its intersection with Burpee Road, and on the westerly bank of the Stillwater River, in said Sterling, more particularly bounded and described as follows:

Beginning	at an iron pin set on the easterly layout line of Redemption Rock Trail at the northwesterly corner of land now or formerly of Wilfred A. McMaster and the southwesterly corner of the parcel being described;
Thence	N. 03° 31′ 07" W. a distance of 101.17 feet, by the easterly layout line of the road, to a point near a Worcester County Highway Bound;

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Thence continuing northerly by the highway layout, and the curve of a circle with a radius of 2965.00 feet, a distance of 78.83 feet to a gun barrel set at the northwesterly corner of the parcel being described, at other lands now or formerly of Vitte S. and Marjorie R. Dayutis;

Thence N. 87° 35′ 15" E. a distance of 200.00 feet to another gun barrel set at a corner;

Thence S. 02° 24′ 45" E. a distance of 165.47 feet to a gun barrel set at another corner;

Thence N. 86° 26′ 30" E. a distance of 200.00 feet at a point;

Thence N. 64° 04′ 11" E. a distance of 199.67 feet to a gun barrel set at a point;

Thence continuing by the same bearing a distance of 65 feet, more or less to the high water line of the Stillwater River, the last five courses being by other lands, now or formerly, of the aforementioned Dayutis;

Thence by the high water line of the river southwesterly and southeasterly a distance of 260 feet, more or less, to a point at land, now or formerly, of the above mentioned McMaster;

Thence N. 71° 37′ 30" W. a distance of 120 feet, more or less, to a gun barrel set at a point;

Thence S. 86° 26′ 30" W. a distance of 361.05 feet to a gun barrel set at a point;

Thence N. 80° 51′ 00" W. a distance of 179.28 feet to the iron pin at Redemption Rock Trail, being the first mentioned point and place of beginning, the last three courses being by land now or formerly of McMaster.

Containing 1.58 acres, more or less, shown as "Parcel B" upon a plan entitled "Plan of lots in Sterling prepared for Vitte S. & Marjorie R. Dayutis", prepared by Berry Engineering Inc., dated 1 October 1993, and recorded with the Worcester District Registry of Deeds as Plan 118 in Plan Book 678.

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Meaning and intending to take hereby the above premises, howsoever the same may be bounded and described, and including any and all fee interest in Redemption Rock Trail - Route 140 which may be held by the supposed owners, and being a protion of the premises described in a deed from Harry T. Buck, Jr. and Roberta M. Buck to Vitte S. Dayutis and Marjorie R. Dayutis, dated April 12, 1974 and recorded with the said Registry of Deeds at Book 5472, Page 305.

AND IN LIKE MANNER, for the same purposes and by virtue of the same powers, the said Metropolitan District Commission does hereby order the taking of and does hereby take in the name and for the benefit of the Commonwealth of Massachusetts, for the purposes of said acts and provisions, all trees on said land and structures affixed to said land, with the exception of the poles, wires, cables, conduits, pipes and their appurtenances, for the conveyance of water, sewage, steam, gas and electricity, and for the transmission of telephone and telegraph communications and data or signals by electrical or electronic or electromagnetic means of any kind, now lawfully in or upon said land, and excluding all easements of record on, over, under, across and through said land.

The Commission awards damages sustained by the supposed owners of the land hereinabove mentioned by reason of said taking, in the following sum:

OWNERS	AWARD
Vitte S. Dayutis and Marjorie R. Dayutis	$ 68,000.00

The Commission further V O T E D: to approve an award of damages in the amount of $68,000.00, together with such damages and costs as required under General Laws, Chapter 79, Sections 6, 12, 39 and 44A.

1. Report of Mr. Gray, November 29, recommending that the Commission declare surplus and transfer in accordance with Chapter 117 of the Acts of 1994, approximately 149 square feet of land located off Cedar Brook Road in the Town of Wellesley, for all purposes consistent with said Act.
The Commission V O T E D: to declare surplus and transfer in accordance with Chapter 117 of the Acts of 1994, approximately 149 square feet of land located off Cedar Brook Road in the Town of Wellesley, for all purposes consistent with said Act, as recommended by Mr. Gray in his report of November 29, 1994.

2. Report of Mr. Gray, November 29, recommending that the Commission adopt a confirmatory order of taking relating to the Town Brook Flood Control Project for the acquisition of fee interests, permanent and temporary easements, and permanent subsurface easements, for flood control purposes, on, over, across, under and through approximately 304,280.5 square feet of land located in the City of Quincy, Massachusetts, and to approve an award of total damages not to exceed the amount of $802,000.00, and in all matters to ratify the vote of the Commission at its meeting of July 29, 1993, relating to this transaction.
The Commission V O T E D: to adopt a confirmatory order of taking relating to the Town Brook Flood Control Project for the acquisition of fee interests, permanent and temporary easements, and permanent subsurface easements, for flood control purposes, on, over, across, under and through approximately 304,280.5 square feet of land located in the City of Quincy, Massachusetts.

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CONFIRMATORY
ORDER OF TAKING
COMMONWEALTH OF MASSACHUSETTS
METROPOLITAN DISTRICT COMMISSION

Boston, December 1, 1994

ORDERED: That the Metropolitan District Commission by virtue of the power and authority conferred upon it by Chapter 803 of the Acts of 1972, Chapter 1180 of the Acts of 1973, Chapter 147 of the Acts of 1978, and Chapter 723 of the Acts of 1983, and acts in amendment thereof or in addition thereto, and every other power and authority hereto enabling, for the purposes of said acts and provisions, does hereby order the taking of and does hereby take under the provisions of Chapter 79 of the General Laws, in the name and for the benefit of the Commonwealth of Massachusetts, in fee, for flood control purposes, the land situated in Quincy in the County of Norfolk and Commonwealth of Massachusetts, as shown on a plan entitled "Plan of Easements and Fee Acquisitions, City of Quincy, Massachusetts, for the Town Brook Improvements, Prepared for Commonwealth of Massachusetts, Metropolitan District Commission, Parks Division", dated February, 1993, and prepared by ASEC Corporation, which plan shall be recorded subsequently with the Norfolk County Registry of Deeds and made a part of this order, which order was previously approved by this Commission on July 29, 1993, and recorded with said Deeds in Book 10067, Page 365, on August 27, 1993, namely, the parcels described as follows and supposed to be owned by the following owners:

Parcel No.	Supposed Owners	Fee Interest Taken Area in Square Feet	Book	Page
1	City of Quincy	32,030	L.C.154 [Ctf# 30796]	196
2	Eleanor Marini	9,180	L.C.450 [Ctf# 89957]	157
3	City of Quincy	580	4304	441
4	M.B.T.A.	14,380	4687	549
5	M.B.T.A.	10,570	4687	549

Parcel No.	Supposed Owners	Fee Interest Taken Area in Square Feet	Book	Page
6	City of Quincy	12,980	4687	551
7	Quincy Turnstyle Properties, Inc.	11,180	4208	317
8	City of Quincy	5,350	6066	435

Said Metropolitan District Commission does also hereby order the taking of and does hereby take in the name and behalf of the Commonwealth of Massachusetts, for the purposes as aforesaid, permanent rights and easements to construct, inspect, repair, renew, replace, operate and forever maintain culverts, channels, pipes, surface conduits and their appurtenances, in, through and under the land situated in said Quincy, and as shown on the aforesaid plan, and supposed to be owned by the following owners:

Parcel No.	Supposed Owner(s)	Area in Square Feet In Which Permanent Easement is Taken	Book	Page
A	City of Quincy	375	L.C.154 [Ctf# 30796]	196
B	Eleanor Marini	3,000	L.C.450 [Ctf# 89957]	157
C	Abutters to Raymond Street & Atlas Street: <u>Raymond Street:</u> Eleanor Marini; William E. Duggan; Nicholas V. Trifone III, Tr., Appia Associates Realty Trust; <u>Atlas Street:</u> Eleanor Marini; Richard A. Venti, Tr., Venti Trust; Torre Dei Passeri Social Club, Inc.; City of Quincy; David H. Leahy, Tr., Brothers Realty Trust	22,884	--	--

Parcel No.	Supposed Owner(s)	Area in Square Feet In Which Permanent Easement is Taken	Book	Page
D	City of Quincy	130	4098	723
E	M.B.T.A.	230	4687	549
F	City of Quincy	760	--	--
G	Norman Smith, et al, Trustees, Quincy Christadelphian Ecclesia	1,020	2614	219
H	Quincy Turnstyle Properties, Inc.	9,450	4208	317
J	Arthur E. Simmons, et al, Trustees, Fort Granite Realty	430	6969	720

Said Metropolitan District Commission does also hereby order the taking of and does hereby take in the name and behalf of the Commonwealth of Massachusetts for the purposes as aforesaid, the permanent subsurface easements in, through and under the land situated in said Quincy, and as shown on the aforesaid plan, and supposed to be owned by the following owners:

Parcel No.	Supposed Owner(s)	Area in Square Feet In Which Permanent Subsurface Easement Is Taken	Book	Page
1	Abutters to Raymond Street: Eleanor Marini; William E. Duggan; Nicholas V. Trifone III, Tr., Appia Associates Realty Trust	1,435	--	--

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Parcel No.	Supposed Owner(s)	Area in Square Feet In Which Permanent Subsurface Easement Is Taken	Book	Page
2	Abutters to Atlas Street: Eleanor Marini; Richard A. Venti, Tr., Venti Trust; Torre Dei Passeri Social Club, Inc.; City of Quincy; David H. Leahy, Tr., Brothers Realty Trust	1,589	--	--
3	Richard A. Venti, Tr., Venti Trust	239	L.C.498 [Ctf# 99460]	60
4	Eleanor Marini	3,201	L.C.450 [Ctf# 89958]	158
5	Nicholas V. Trifone, III, Tr., Appia Associates Realty Trust	2,131	L.C.625 [Ctf#124840]	40
6	Victor Montanez and Anne Marie Heine	750	6380	422
7	Larry Y. Young	2,111	8312	687
8	Oi Lan See	2,687	6491	191
9	Sue M. MacLean	516	2348	54
10	Eleanor Marini	327	L.C.450 [Ctf# 89959]	159
11	City of Quincy	2,950	--	--
12	City of Quincy	1,031	--	--
13	Charles W. and Carolyn V. Hanrahan	2,116	4426	235
14	Rose R. Giglio	2,422	5753	676
15	Trinh T. Tan and Phan T. Tu	1,989	7958	144

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Parcel No.	Supposed Owner(s)	Area in Square Feet In Which Permanent Subsurface Easement Is Taken	Book	Page
16	Ronald J. and Patricia O. DiBona	1,007	5366	610
17	City of Quincy	1,147	--	--
18	Salvatore J. Vitulano, et al	1	8492	704
19	Augustine N. and Virginia R. Palluccio	2,990	3371	331
20	Leo F. Barron, et al, Trs., Barron Family Realty Trust	983	6213	42
21	John M. Marrone, Tr., Elm Street Realty Trust	3,102	5460	48
22	City of Quincy	1,250	--	--
23	Richard F. and Victoria T. Nord	2,950	L.C.443 [Ctf# 88453]	53
24	John A. and Patricia E. Joyce	.5	L.C.697 [Ctf#129261]	61
25	South Shore Chamber of Commerce	9,200	L.C.476 [Ctf# 95001]	1
26	City of Quincy	1,063	--	--
27	David C. and Ruth Ezickson	2,171	5058	594
28	Ettore and Annie L. Mariano	598	2394	299
29	Joseph S. Tretola, Tr., Brookside House Trust	88	4725	71
30	Thomas J. O'Connell III Patricia E. O'Connell	1,806	5650	76

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Parcel No.	Supposed Owner(s)	Area in Square Feet In Which Permanent Subsurface Easement Is Taken	Book	Page
31	Nicholas G. and George Belezos	1,573	5719	525
32	Hoa A. Vuong, et al	1,077	7363	39
33	City of Quincy	1,184	--	--
34	John H. and Dorothy I. Groves	459	8958	667
35	Patricia A. Marino and Robert F. Fennessey	2,955	5657	559
36	Carl Goodman	303	4106	379
37	Margaret C. McCormick	138	6190	616
38	Antonio F. and Annina F. Carlucci	541	5326	373
39	Antonio F. and Annina F. Carlucci	880	5326	373
40	Joseph J. LaRaia, Tr., Mechanic Realty Trust	966	8286	367
41	John A. and Margaret G. Marshall	2,475	4290	480
42	Theodore A. and Gladys A. George	35	8426	708
43	City of Quincy	1,502	--	--
44	Bernard M. and Marilyn P. Reisberg	227	5427	401
45	Alfred and Edythe R. Pactovis	2,886	7718	701
46	Eleanor Marini	496	L.C.450 [Ctf# 89957]	157

Parcel No.	Supposed Owner(s)	Area in Square Feet In Which Permanent Subsurface Easement Is Taken	Book	Page
47	Constantine Kechris, et al, Trs., C.T. Kechris Realty Trust	1,502	L.C.630 [Ctf#125852]	52
48	Armando V. Agnitti	2,146	7379	446
49	City of Quincy	2,055	--	--
50	Blanche Goldman, Tr., The Executive Trust	6,705	L.C.628 [Ctf#125402]	2
51	Blanche Goldman, Tr., The Executive Trust	1	L.C.628 [Ctf#125402]	2
52	Beneficial Capital Corporation	2,638	L.C.585 [Ctf#116858]	58
53	Beneficial Capital Corporation	2,822	L.C.585 [Ctf#116858]	58
54	Nissie Grossman, Tr., Rueben A. Grossman Trust	3,928	L.C.661 [Ctf#132015]	15
55	City of Quincy	1,205	--	--
56	Peter F. O'Connell, et al, Trs., Hancock House Realty Trust	2,569	8251	720
57	Peter F. O'Connell, et al, Trs., Hancock House Realty Trust	4,289	5136	312
58	Daniel K. and Helene Dorian	1	6555	244
59	City of Quincy	2,124	--	--
60	Parkingway Associates Limited Partnership	5,824	7331	35

Parcel No.	Supposed Owner(s)	Area in Square Feet In Which Permanent Subsurface Easement Is Taken	Book	Page
61	M.B.T.A.	3,133	4304	441
62	City of Quincy	2,641	4098	723
63	Quincy Turnstyle Properties, Inc.	1,071	4208	317

Said Metropolitan District Commission does also hereby order the taking of and does hereby take in the name and behalf of the Commonwealth of Massachusetts for the purposes as aforesaid, the right and easement to occupy and use for the passage of men and vehicles, the transportation of machinery and materials, and for depositing and storing machinery, tools, dirt and other materials thereon, together with the right to remove said machinery, tools, dirt and other materials so deposited and stored thereon, but in no event later than September 30, 1996, the following described parcels of situated in said Quincy, and as shown on the aforesaid plan, and supposed to be owned by the following owners:

Parcel No.	Supposed Owner(s)	Area in Square Feet In Which Temporary Easement is Taken	Book	Page
TC-1	City of Quincy	28,320	L.C.154 [Ctf# 30796]	196
TC-2	Abutters to Atlas Street: Eleanor Marini; Richard A. Venti, Tr., Venti Trust; Torre Dei Passeri Social Club, Inc.; City of Quincy; David H. Leahy, Tr., Brothers Realty Trust	4,430	--	--

Parcel No.	Supposed Owner(s)	Area in Square Feet In Which Temporary Easement is Taken	Book	Page
TC-3	Eleanor Marini	9,390	L.C.450 [Ctf# 89957]	157
TC-4	City of Quincy	1,950	--	--
TC-5	City of Quincy	150	--	--
TC-6	Quincy Turnstyle Properties, Inc.	7,430	4208	317
TC-7	Norman Smith, et al, Trs., Quincy Christadelphian Ecclesia	1,880	2614	219

Said rights and easements in the above-described parcels comprising a portion of any street or public way are taken without interference with or prejudice to the rights of the City of Quincy and the public to maintain and use said streets or public ways as public ways, except so far as the same may be inconsistent with the exercise of the rights and easements hereby taken or the use thereof for flood control purposes. All respective rights and easements of the City of Quincy and the public and the owners of record in and to the use of the above-described parcels are hereby reserved for all lawful purposes which are not inconsistent with the use of same for flood control purposes and for the construction, inspection, repair, renewal, replacement, operation and maintenance of said culverts and appurtenances.

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No buildings or structures or foundations of buildings or structures or parts thereof shall hereafter be erected, placed or maintained on, in or through those parcels taken in fee or for permanent easements by this Commission, as listed above; however, such restrictions on buildings, structures and foundations shall not be construed to apply or otherwise affect those parcels as listed above taken by this Commission for permanent subsurface easements, provided that no buildings, structures or foundations or parts thereof shall be permitted to be erected, placed or maintained between elevation -100.00 feet and -200.00 feet on the National Geodetic Vertical Datum No. 29, as noted on Sheet 1 of the plan of easements and fee acquisitions referenced on the first page of this document.

This confirmatory order of taking hereby ratifies in all respects those actions taken by this Commission on July 29, 1993, but the language added thereto both expresses and clarifies the intent of this Commission, that buildings, structures and foundations and parts thereof may indeed be erected, placed or maintained on, in or through those parcels taken by this Commission for permanent subsurface easements, provided that the structural integrity of the subsurface tunnel is not compromised.

AND IN LIKE MANNER, for the same purposes and by virtue of the same powers, the said Metropolitan District Commission does hereby order the taking of and does hereby take in the name and for the benefit of the Commonwealth of Massachusetts, for the purposes of said acts and provisions, all trees on said land and structures affixed to said land, with the exception of the poles, wires, cables, conduits, pipes and their appurtenances, for the conveyance of water, sewage, steam, gas and electricity, and for the transmission of telephone and telegraph communications and data or signals by electrical or electronic or electromagnetic means of any kind, now lawfully in or upon said land, and excluding all easements of record on, over, under, across and through said land; furthermore, said Commission does also take and expressly reserve hereby, the right to place on, over, under, across and through said land, any utility or utility delivery system which it deems shall not interfere or be otherwise inconsistent with said flood control project.

The Commission further V O T E D: to approve an award of total damages not to exceed the amount of $802,000.00, and in all matters to ratify the vote of the Commission at its meeting of July 29, 1993, relating to this transaction, as recommended by Mr. Gray in his report of November 29, 1994.

The following matter was placed on the agenda for the information of the Commission:

1. The following schedules were approved for payment by the Commissioner during the period from October 24, 1994 to October 31, 1994.

Expenditures $481,348.99

Adjourned at 10:45 a.m., to meet on Thursday, December 8, 1994, at 10:00 a.m.

William J. Cristel
Secretary

Record of the Three Thousand Seven Hundred and Eleventh (3711th) meeting of the Metropolitan District Commission duly called and held at 20 Somerest Street, Boston, Massachusetts, on Thursday, December 8, 1994 at 10:00 a.m.

Present, Commissioner Bhatti and Associate Commissioners Elkort, Settles and Wu.

The Records of the Commission Meeting held on November 10, 1994 were read and approved.

The Secretary submitted for signature the following paper which was signed by the Commissioner and three Associate Commissioners:

1. Third Amendment, dated December 8, 1994, to Contract-Agreement No. P93-1668-X1A, with Wallace Floyd Associates, Inc., for 1994 Landscape Architect Services.

2. Contract-Agreement No. WM95-050-X1A, dated December 8, 1994, with Revet Environmental and Analytical Laboratories, Inc., for Laboratory Services for Water Quality Analysis for a two year period.

Action was taken upon the following matters relating to the Engineering and Construction Division:

3. Report of Messrs. Faucher and Traficante, November 28, requesting permission to enter into Contract No. P95-1775-X1A, with Harvard University, to Analyze Air Quality in MDC Skating Rinks.
Cost not-to-exceed - $1,200.00.
Time for Performance - 6 months.
Account No. 2410-7872.
The Commission V O T E D: Approved as requested by Messrs. Faucher and Traficante in their report of November 28, 1994.

4. Report of Messrs. Jackson and Baratta, November 30, submitting for approval Project Summary, Project Justification, Work Schedule and authorization to advertise Project No. P95-1785-D1A, for Rehabilitation of Wollaston Beach, Quincy.
Estimated Cost - $150,000.00.
Time for Performance - 15 months.
Account No. 2440-8956.
The Commission V O T E D: Delete from Agenda.

5. Report of Messrs. Jackson and Baratta, November 30, submitting for approval Project Summary, Project Justification, Work Schedule and authorization to advertise Project No. P95-1783-D1A, for Rehabilitation of Constitution Beach, East Boston.
Estimated Cost - $150,000.00.
Time for Performance - 15 months.
Account No. 2440-8956.
The Commission V O T E D: Delete from Agenda.

6. Report of Messrs. Jackson and Baratta, November 30, submitting for approval Project Summary, Project Justification, Work Schedule and authorization to advertise Project No. P95-1784-D1A,

for Rehabilitation of South Boston Beaches.
Estimated Cost - $150,000.00.
Time for Performance - 15 months.
Account No. 2440-8956.
The Commission V O T E D: Delete from Agenda.

1. Report of Messrs. Faucher and Haider, December 6, on bids for Gas Fired Infrared Heating System, at Ponkapoag Golf Course, Canton, Contract No. P94-1751-C1A.
Account No. 2440-4000.
(Messrs. Faucher and Haider recommend acceptance of the low bid, that of P. J. Kennedy & Sons, Inc., of $15,330.00).
The Commission V O T E D: to accept the lowest bid received, that of P. J. Kennedy & Sons, Inc., of $15,330.00.

Action was taken upon the following matters relating to the Watershed Management Division:

2. Report of Messrs. McGinn and Kane, November 21, requesting that the Commission amend its vote of September 22, 1994, approving Contract No. WM94-007-C1A, for Construction of Expedient Repairs to Goodnough Dike, Quabbin Reservoir, Ware, by changing source of funding from Account No. 2420-7880 to Account No. 2420-8881. (At no increase in Contract cost).
The Commission V O T E D: to amend its vote of September 22, 1994, approving Contract No. WM94-007-C1A, for Construction of Expedient Repairs to Goodnough Dike, Quabbin Reservoir, Ware, by changing source of funding from Account No. 2420-7880 to Account No. 2420-8881, as recommended by Messrs. McGinn and Kane in their report of November 21, 1994.

3. Report of Mr. McGinn, November 28, submitting for approval and signature Quabbin Park Cemetery Deed No. Q-1709, conveying Lot No. A-30 to Ms. Colleen M. Krupa.
The Commission V O T E D: Approved.
The Secretary then submitted for signature Quabbin Park Cemetery Deed No. Q-1709, dated December 8, 1994, which was signed by the Commissioner and two Associate Commissioners.

4. Report of Mr. McGinn, November 28, submitting for approval and signature Quabbin Park Cemetery Deed No. Q-1708, conveying Lot No. A-61 to Mr. Robert S. and Cynthia A. Turek.
The Commission V O T E D: Approved.
The Secretary then submitted for signature Quabbin Park Cemetery Deed No. Q-1708, dated December 8, 1994, which was signed by the Commissioner and two Associate Commissioners.

5. Report of Mr. McGinn, November 28, submitting for approval and signature Quabbin Park Cemetery Deed No. Q-1710, conveying N.E. 1/2 Lot No. 967 to Mr. Robert J. Grigas.
The Commission V O T E D: Approved.
The Secretary then submitted for signature Quabbin Park Cemetery Deed No. Q-1710, dated December 8, 1994, which was signed by the Commissioner and two Associate Commissioners.

1. Report of Mr. McGinn and Ms. Zilligen, November 15, submitting for approval Project Summary, Project Justification, Work Schedule and requesting award of Contract No. WM95-008-S1A, for Wachusett Recreational Survey.
(Mr. McGinn and Ms. Zilligen recommend acceptance of the only bid received, that of Steinberg & Clark, Environmental Policy and Planning Consultants, of $30,000.00, for the 12 month Contract).
Account No. 2420-1400-(HH).
The Commission V O T E D: Approved.
The Commission further V O T E D: to accept the only bid received and award Contract No. WM95-008-S1A, for Wachusett Recreational Survey, to Steinberg & Clark, Environmental Policy and Planning Consultants, in the amount of $30,000.00, for the 12 month Contract.

Action was taken upon the following matter relating to the Recreational Facilities and Programs Division:

2. Report of Ms. Connolly, December 5, submitting for consideration a request from Recreational Sports, Inc. (RSI), to be absolved from obligations incurred from the operation of the pro shop, located at Blue Hills Ski Area, Canton, Massachusetts, during the 1992-1993 and 1993-1994 ski seasons in the amount of $35,414.00.
Ms. Connolly recommends that the amount of $35,414.00, owed under the terms of the Permits, be adjusted to $11,995.13.
Ms. Connolly described in detail how she arrived at the proposed adjustment of $11,995.56, for the 1992-1993 and 1993-1994 ski seasons.
Following a lengthy discussion concerning the pro shop and the monies owed the Commission by Recreational Sports, Inc., the Commission V O T E D: to approve the recommendation of Ms. Connolly, that the amount of $35,414.00, owed under the terms of the Permits, be adjusted to $11,995.13. The approval is contingent on receipt of a six month payment plan from Recreational Sports, Inc., for the proposed balance of $11,995.13, prior to execution of the 1994-1995 Permit-Agreement by the Commission
Associate Elkort abstained from voting on this matter.

Action was taken upon the following Various Matters:

3. Report of Mrs.O'Brien, November 28, recommending the following on Contract No. PL-92-005-S2B, with Aquatic Control Technology, Inc., for Aquatic Management Program at Wares Cove on the Charles River, Newton, Massachusetts -
(a) That work be accepted as completed as of November 25, 1994.
(b) That Estimate No. 3 (Final), in the amount of $7,387.23, be approved for payment.
(c) That reserve, in the amount of $1,498.99, be approved for payment.
(Basis of Award - $14,990.00)
(Total to Date - $14,990.00)
(Contract Administration Rating - 9.00 - with 10.00 being excellent)
(EEO Compliance - N/A)

The Commission V O T E D: that the work of Aquatic Control Technology, Inc., Contractor under Contract No. PL92-005-S2B, for Aquatic Management Program at Wares Cove on the Charles River, Newton, Massachusetts, be and hereby is accepted as completed as of November 25, 1994.
The Commission further V O T E D: to approve Estimate No. 3 (Final), in the amount of $7,387.23, for payment.
The Commission further V O T E D: to approve release of reserve, in the amount of $1,498.99.

1. Report of Mr. Jewett, December 2, on behalf of the Consultant Selection Committee, recommending award of Contract No. P92-1660-D1A, to Goodkind and O'Dea, Inc., for Design Services for Sub-Structure Repair to the Neponset River Bridge, Boston and Quincy.
Estimated Design Cost - $200,000.00 - subject to negotiations.
Estimated Time for Performance - 24 months.
Account No. 2490-8881.
The Commission V O T E D: to award Contract No. P92-1660-D1A, to Goodkind and O'Dea, Inc., for Design Services for Sub-Structure Repair to the Neponset River Bridge, Boston and Quincy, as recommended by Mr. Jewett in his report of December 2, 1994.

2. Report of Mr. Jewett, December 2, on behalf of the Consultant Selection Committee, recommending approval and award of a Contract to Clean Harbors Environmental Services, Inc., for Hazardous Waste Inventory and Analysis of Materials Stored at Redman Farm, Canton, Massachusetts.
Cost is $1,100.00 for labor, supplies and equipment and analysis cost of $150.00 - $200.00 a sample with a total cost not-to-exceed $5,000.00.
Time of Performance - one month from Notice to Proceed.
Account No. 2490-8910.
The Commission V O T E D: Approved.
The Commission further V O T E D: to award to Clean Harbors Environmental Services, Inc., a Contract for Hazardous Waste Inventory and Analysis of Materials Stored at Redman Farm, Canton, Massachusetts, as recommended by Mr. Jewett in his report of December 2, 1994.

Action was taken upon the following matters relating to the Office of Real Property:

3. Report of Mr. Gray December 5, submitting for approval Work Schedule and Project Summary and Justification, for Open Order Contract No. RP95-0001, for Appraisals for Watershed Land Acquisition FY/95 - Worcester and Franklin Counties.
Cost $600,000.00.
Account No. 2421-9936, under Sections 6 and 12 of Chapter 36 of the Acts of 1992 - (Cohen Bill).
The Commission V O T E D: Approved as recommended by Mr. Gray in his report of December 5, 1994.

1. Report of Mr. Gray, December 5, recommending that the Commission adopt an Order of Taking for acquisition of approximately 12 acres of land owned by Beverly M. Scarale, located in the Town of Princeton, Massachusetts, and to approve an award of damages in the amount of $30,000.00, together with such damages and costs as required under General Laws, Chapter 79, Sections 6, 12, 39 and 44A. Account No. 2420-8936.
The Commission V O T E D: to adopt an Order of Taking for acquisition of approximately 12 acres of land owned by Beverly M. Scarale, located in the Town of Princeton, Massachusetts.

ORDER OF TAKING
COMMONWEALTH OF MASSACHUSETTS
METROPOLITAN DISTRICT COMMISSION

Boston, December 8, 1994.

ORDERED: That the Metropolitan District Commission by virtue of the power and authority conferred upon it by Chapter 564 of the Acts of 1987, Chapter 36 of the Acts of 1992, and Section 117 of Chapter 92 of the General Laws, and acts in amendment thereof or in addition thereto and every other power and authority hereto enabling, for the purposes of said acts and provisions, does hereby order the taking of and does hereby take in fee for watershed preservation, protection and operation purposes, under the provisions of Chapter 79 of the General Laws, in the name and behalf of the Commonwealth of Massachusetts, the following described land situated in the Town of Princeton in the County of Worcester and Commonwealth of Massachusetts, namely:

A certain parcel of land situated on the easterly side of Route 140 - Redemption Rock Trail, south of Hobbs Road and astride "Keyes Brook" so-called, more particularly bounded and described as follows:

Beginning at a Worcester County Highway Bound set in a stone wall on the easterly layout line of Route 140 - Redemption Rock Trail at land, now or formerly, of Frank M. and Beverly M. Scarale, being the northwesterly corner of the lot being described;

Thence S. 12° 30′ E. along the roadway layout and the stone wall a distance of 451.5 feet to an intersecting stone wall at land formerly of Stickles, now or formerly of Walker;

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Thence S. 87° E. by the intersecting wall, as above, a distance of 138 feet to a corner;

Thence S. 14° E. turning the corner and following another stone wall a distance of 41 feet to a drill hole;

Thence S. 64° E. a distance of 165 feet, more or less to a drill hole in a large boulder lying near the westerly bank of "Keyes Brook" so-called;

Thence Crossing the brook and southerly by the brook downstream a distance of 305 feet, more or less, to a point at land, now or formerly of Eden-Kilgour, the last four courses being by land formerly of Stickles, now or formerly of Walker;

Thence S. 74° E. by an old wire fence, and land, now or formerly of Eden-Kilgour, a distance of 345 feet, more or less, to a stake at the southeasterly corner of the parcel being described;

Thence N. 4° W. by an old wire fence, and mostly by a stone wall, a distance of 650 feet to a corner of stone walls;

Thence N. 83° W. turning the corner, and running by and through the intersecting wall and fence, a distance of 450 feet to a point at "Keyes Brook";

Thence Northerly downstream by the brook, a distance of 340 feet, more or less, to a point at land, now or formerly, of Frank G. and Joan D. Scarale, the last three courses being by land formerly of Hobbs, now or formerly of Eden-Kilgour;

Thence S. 74° 30′ W. a distance of 500 feet, more or less, by land, now or formerly of F. and J. Scarale, as above, to the Worcester County Highway Bound first mentioned, being the point and place of beginning.

The above described parcel is estimated to contain 10 to 12 acres, more or less, being a portion of the property shown upon a plan entitled "Plan of Land of Nancy A. Stickles, Princeton, Mass.", dated April 28, 1962 and drawn by Stanley G. Kendall. A copy of this plan is appended to this taking instrument as appendix A.

Meaning and intending to take hereby the above premises, howsoever the same may be bounded and described, and including any and all fee interest in Route 140 - Redemption Rock Trail and/or the waters of "Keyes Brook", so-called, which may be held by the supposed owner, and being the same premises described in a deed from Nancy A. Stickles to Frank M. and Beverly M. Scarale, dated April 12. 1962 and recorded with the Worcester District Registry of Deeds at Book 4290, Page 235, excepting therefrom the 2 acre parcel conveyed by Frank M. and Beverly M. Scarale to Frank G. and Joan D. Scarale by an instrument dated September 12, 1963 and recorded with said Deeds at Book 4402, Page 488.

The above described parcel is depicted as Parcel 40 on Map 5 of the Princeton Assessors Maps, listed as containing 10.5 acres.

AND IN LIKE MANNER, for the same purposes and by virtue of the same powers, the said Metropolitan District Commission does hereby order the taking of and does hereby take in the name and for the benefit of the Commonwealth of Massachusetts, for the purposes of said acts and provisions, all trees on said land and structures affixed to said land, with the exception of the poles, wires, cables, conduits, pipes and their appurtenances, for the conveyance of water, sewage, steam, gas and electricity, and for the transmission of telephone and telegraph communications and data or signals by electrical or electronic or electromagnetic means of any kind, now lawfully in or upon said land, and excluding all easements of record on, over, under, across and through said land.

The Commission awards damages sustained by the supposed owner of the land hereinabove mentioned by reason of said taking, in the following sum:

OWNER	AWARD
Beverly M. Scarale	$ 30,000.00

The Commission further V O T E D: to approve an award of damages in the amount of $30,000.00, together with such damages and costs as required under General Laws, Chapter 79, Sections 6, 12, 39 and 44A.

1. Report of Mr. Gray, December 5, recommending that the Commission adopt an Order of Taking for acquisition of approximately 2 acres of land owned by Frank G. Scarale and Joan D. Scarale, located in the Town of Princeton, Massachusetts, and to approve an award of damages in the amount of $50,000.00, together with such damages and costs as required under General Laws, Chapter 79, Sections 6, 12, 39 and 44A. Account No. 2420-8936.
The Commission V O T E D: to adopt an Order of Taking for acquisition of approximately 2 acres of land owned by Frank G. Scarale and Joan D. Scarale, located in the Town of Princeton, Massachusetts.

ORDER OF TAKING
COMMONWEALTH OF MASSACHUSETTS
METROPOLITAN DISTRICT COMMISSION

Boston, December 8, 1994.

ORDERED: That the Metropolitan District Commission by virtue of the power and authority conferred upon it by Chapter 564 of the Acts of 1987, Chapter 36 of the Acts of 1992, and Section 117 of Chapter 92 of the General Laws, and acts in amendment thereof or in addition thereto and every other power and authority hereto enabling, for the purposes of said acts and provisions, does hereby order the taking of and does hereby take in fee for watershed preservation, protection and operation purposes, under the provisions of Chapter 79 of the General Laws, in the name and behalf of the Commonwealth of Massachusetts, the following described land situated in the Town of Princeton in the County of Worcester and Commonwealth of Massachusetts, namely:

A certain parcel of land situated on the easterly side of Route 140 - Redemption Rock Trail, south of Hobbs Road and lying between "Keyes Brook" so-called, and Route 140, more particularly bounded and described as follows:

Beginning at the northwesterly corner of the parcel being described, on the easterly layout line of Route 140 - Redemption Rock Trail, at the corner of stone walls, near a barway, at land, now or formerly of Ball;

Thence N. 74° 30′ E., partly by the stone wall, a distance of 568 feet to a stake and stones at a large maple tree by the brook, this course being by land, now or formerly, of Ball ;

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Thence Southerly and downstream by the brook and land, now or formerly, of Eden-Kilgour a distance of 185 feet to a point at land, now or formerly, of Frank M. and Beverly M. Scarale ;

Thence S. 74° 30′ W. a distance of 500 feet, more or less, to a Worcester County Highway Bound found set in a stone wall on the easterly line of Route 140 - Redemption Rock Trail;

Thence N. 12° 30′ W. by the stone wall and the highway a distance of 171 feet to the first mentioned corner of stone walls being the point and place of beginning.

The above described parcel is supposed to contain 2 acres, more or less, being a portion of the property shown upon a plan entitled "Plan of Land of Nancy A. Stickles, Princeton, Mass.", dated April 28, 1962 and drawn by Stanley G. Kendall. A copy of this plan is appended to this taking instrument as appendix A.

Meaning and intending to take hereby the above premises, howsoever the same may be bounded and described, and including any and all fee interest in Route 140 - Redemption Rock Trail and/or the waters of "Keyes Brook", so-called, which may be held by the supposed owners, and being the same premises described in a deed from Frank M. and Beverly M. Scarale to Frank G. and Joan D. Scarale by an instrument dated September 12, 1963 and recorded with said Deeds at Book 4402, Page 488.

The above described parcel is depicted as Parcel 39 on Map 5 of the Princeton Assessors Maps, listed as containing 2.0 acres.

AND IN LIKE MANNER, for the same purposes and by virtue of the same powers, the said Metropolitan District Commission does hereby order the taking of and does hereby take in the name and for the benefit of the Commonwealth of Massachusetts, for the purposes of said acts and provisions, all trees on said land and structures affixed to said land, with the exception of the poles, wires, cables, conduits, pipes and their appurtenances, for the conveyance of water, sewage, steam, gas and electricity, and for the transmission of telephone and telegraph communications and data or signals by electrical or electronic or electromagnetic means of any kind, now lawfully in or upon said land, and excluding all easements of record on, over, under, across and through said land.

The Commission awards damages sustained by the supposed owner of the land hereinabove mentioned by reason of said taking, in the following sum:

OWNERS	AWARD
Frank G. Scarale Joan D. Scarale	$ 50,000.00

The Commission further V O T E D: to approve an award of damages in the amount of $50,000.00, together with such damages and costs as required under General Laws, Chapter 79, Sections 6, 12, 39 and 44A.

1. Report of Mr. Gray, December 5, recommending that the Commission adopt an Order of Taking for acquisition of approximately 18.579 acres of land owned by the Estates of J. Stanley Holt and Fred W. Holt, located in the Town of Holden, Massachusetts, and to approve an award of damages in the amount of $28,500.00, together with such damages and costs as required under General Laws, Chapter 79, Sections 6, 12, 39 and 44A. Account No. 2420-8936. The Commission V O T E D: to adopt an Order of Taking for acquisition of approximately 18.579 acres of land owned by the Estates of J. Stanley Holt and Fred W. Holt, located in the Town of Holden, Massachusetts.

ORDER OF TAKING
COMMONWEALTH OF MASSACHUSETTS
METROPOLITAN DISTRICT COMMISSION

Boston, December 8, 1994.

ORDERED: That the Metropolitan District Commission by virtue of the power and authority conferred upon it by Chapter 564 of the Acts of 1987, Chapter 36 of the Acts of 1992, and Section 117 of Chapter 92 of the General Laws, and acts in amendment thereof or in addition thereto and every other power and authority hereto enabling, for the purposes of said acts and provisions, does hereby order the taking of and does hereby take in fee for watershed preservation, protection and operation purposes, under the provisions of Chapter 79 of the General Laws, in the name and behalf of the Commonwealth of Massachusetts, the following described land situated in the Town of Holden in the County of Worcester and Commonwealth of Massachusetts, namely:

A certain parcel of land in Holden lying westerly of and on a cart path off of River Street, and southerly of the Quinapoxet River, more particularly bounded and described as follows:

Beginning at the northeasterly corner of the parcel being described, at land of the Commonwealth of Massachusetts, said point lying S. 12° 02′ 44" W. a distance of 0.87 feet from a stone bound found. This bound is identified as the fourth bound mentioned in the description of the fifth parcel taken by the Metropolitan Water Works in an instrument dated December 27, 1907. This taking of the Canada Mills property was recorded with the said Deeds on December 31, 1907 at Book 1870, Page 442. Plan No. 152 of Land Takings, showing this property and the above referenced bound is recorded at Plan Book 13, Page 85;

Thence S. 50° 07′ 21" W. a distance of 729.27 feet by land of the Commonwealth, to a stone bound found at a corner and land now or formerly of Antinarella, this bound being the third one mentioned in the above referenced taking;

Thence N. 46° 18′ 27" W. a distance of 430.47 feet to a concrete bound set;

Thence N. 63° 03′ 56" W. a distance of 156.13 feet to a spike set in a 20 inch blazed oak tree;

Thence N. 30° 55′ 50" W. a distance of 189.99 feet to another concrete bound set;

Thence N. 62° 59′ 35" W. a distance of 202.63 feet to a 28 inch blazed white pine at a corner;

Thence S. 49° 37′ 49" W. a distaance of 147.30 feet to a concrete bound set;

Thence S. 44° 43′ 46" W. a distaance of 160.12 feet to another bound;

Thence S. 58° 47′ 49" W. a distance of 184.23 feet to another bound set;

Thence S. 68° 50′ 49" W. a distance of 252.13 feet to a concrete bound set at a point of intersection of the land being described with lands now or formerly of Antinarella, High Plains Estates, Inc., and the Town of Holden, the last eight courses being along a wire fence and land now or formerly of Antinarella;

Thence N. 36° 14′ 09" E. a distance of 865.03 feet, by land now or formerly of the Town of Holden, to a concrete bound set at land now or formerly of Farrell;

Thence N. 63° 00′ 56" E. a distance of 330.00 feet, by land now or formerly of Farrell, to a stone bound found at land of the Commonwealth;

Thence S. 61° 06′ 22" E. a distance of 1257.00 feet, by land of the Commonwealth, to the first mentioned point and place of beginning.

Containing 18.579 acres, more or less, as shown on a plan entitled "Commonwealth of Massachusetts, Metropolitan District Commission, Division of Watershed Management, Holden (Worcestewr County), Massachusetts, Land Taking Plan for Watershed Protection", prepared by Schofield Brothers of New England, Inc., dated June 25, 1993, which plan shall be recorded with the Worcester District Registry of Deeds, at a later date, and made a part of this order.

Meaning and intending to take hereby the above premises, howsoever the same may be bounded and described, and being the same premises described in a deed from Charles Flagg to Fred T. and J. Winthrop Holt, dated September 26, 1892, and recorded with said Deeds at Book 1690, Page 249 . This lot has been known as the "Estabrook Lot", and is represented on Holded Assessors Map 91 as Lot 1.01.

AND IN LIKE MANNER, for the same purposes and by virtue of the same powers, the said Metropolitan District Commission does hereby order the taking of and does hereby take in the name and for the benefit of the Commonwealth of Massachusetts, for the purposes of said acts and provisions, all trees on said land and structures affixed to said land, with the exception of the poles, wires, cables, conduits, pipes and their appurtenances, for the conveyance of water, sewage, steam, gas and electricity, and for the transmission of telephone and telegraph communications and data or signals by electrical or electronic or electromagnetic means of any kind, now lawfully in or upon said land, and excluding all easements of record on, over, under, across and through said land.

The Commission awards damages sustained by the supposed owners of the land hereinabove mentioned by reason of said taking, in the following sum:

OWNERS	AWARD
Estates of J. Stanley Holt and Fred W. Holt	$ 28,500.00

The Commission further V O T E D: to approve an award of damages in the amount of $28,500.00, together with such damages and costs as required under General Laws, Chapter 79, Sections 6, 12, 39 and 44A.

1. Report of Mr. Gray, December 5, recommending that the Commission adopt an Order of Taking for acquisition of approximately 54.7 acres of land owned by June E. Oberg, Trustee of J & B Realty Trust, located in the Town of Boylston, Massachusetts, and to approve an award of damages in the amount of $245,000.00, together with such damages and costs as required under General Laws, Chapter 79, Sections 6, 12, 39 and 44A.
Account No. 2420-8936.
The Commission V O T E D: to adopt an Order of Taking for acquisition of approximately 54.7 acres of land owned by June E. Oberg, Trustee of J & B Realty Trust, located in the Town of Boylston, Massachusetts.

ORDER OF TAKING
COMMONWEALTH OF MASSACHUSETTS
METROPOLITAN DISTRICT COMMISSION

Boston, December 8, 1994.

ORDERED: That the Metropolitan District Commission by virtue of the power and authority conferred upon it by Chapter 564 of the Acts of 1987, Chapter 36 of the Acts of 1992, and Section 117 of Chapter 92 of the General Laws, and acts in amendment thereof or in addition thereto and every other power and authority hereto enabling, for the purposes of said acts and provisions, does hereby order the taking of and does hereby take in fee for watershed preservation, protection and operation purposes, under the provisions of Chapter 79 of the General Laws, in the name and behalf of the Commonwealth of Massachusetts, the following described land situated in the Town of Boylston in the County of Worcester and Commonwealth of Massachusetts, namely:

A certain parcel of land lying on the northwesterly side of Linden Street, between Linden Street and Main Street, abutting land of the Commonwealth, more particularly bounded and described as follows:

Beginning at a stone bound on the northwesterly sideline of Linden Street and at the northeasterly corner of the parcel being described, at land, now or formerly, of John L. and Marguerite I. Chiarelli;

Thence Northeasterly by land, now or formerly, of Chiarelli, a distance of 412.5 feet, more or less to a stone monument at land, formerly of George R. Hastings, now of the Commonwealth of Massachusetts;

Thence N. 82° W. a distance of 830 feet to another stone monument;

Thence N. 82° 30′ W. a distance of 767 feet to a hub set at a corner of stone walls at land, now or formerly of Bernard K. and Lynn H. Gabler;

Thence S. 02° 29′ 15" W., by a stone wall, a distamce of 242.83 feet, to a point;

Thence S. 08° 01′ 50" W., by the wall, a distance of 78.06 feet to a hub set at a corner of walls;

Thence N. 60° 24′ 16" W., by the intersecting wall, a distance of 116.71 feet to a drill hole;

Thence N. 60° 35′ 21" W, still by the wall, a distance of 80.95 feet to another drill hole;

Thence N. 58° 17′ 10" W., by the wall, a distance of 134.64 feet to a drill hole;

Thence N. 60° 25′ 03" W., by the wall, a distance of 126.93 feet to a drill hole in the wall at a corner;

Thence S. 04° 31′ 06" E. a distance of 1540.66 feet to a point at a corner, at or near another stone wall;

Thence S. 87° 40′ 31" W., by the wall, a distance of 82.38 feet to a drill hole;

Thence S. 88° 22′ 28" W., by the wall, a distance of 156.98 feet to another drill hole;

Thence S. 87° 00′ 47" W., still by the wall, a distance of 128.56 feet to drill hole;

Thence S. 87° 52′ 19" W., by the stone wall, a distance of 191.56 feet to another drill hole at a corner, and land, now or formerly of Priscilla A. and Walter E. Bedell, the last eleven courses recited are by land, now or formerly, of B. K. and L. H. Gabler, as above;

Thence S. 07° 20′ 44" E., by the intersecting stone wall, and land, now or formerly of P.A. and W. E. Bedell, a distance of 168.50 feet to a drill hole at land, now or formerly of William L. and Janet M. Smith;

Thence S. 67° 29′ 10" E., by land, now or formerly, of W. L. and J.M. Smith, a distance of 1045.875 feet to an iron pipe on the northwesterly line of the 1971 Worcester County Layout of Linden Street;

Thence Northerly and Easterly by the above cited County Layout of Linden Street a distance of 1000 feet, more or less, to a point at property, now or formerly, of Richard P., Jr. and Sherri A. Fiorentino;

Thence N. 32° 10′ 00" W. a distance of 154.82 feet, more or less, to a corner;

Thence N. 72° 10′ 00′ E. a distance of 100.00 feet to land, now or formerly, of Lawrence E. and Carla P. Peterson, the last two courses being by land, now or formerly, of R.P.,Jr. and S.A. Fiorentino;

Thence N. 32° 47′ 00" W. a distance of 250.31 feet to an iron pipe at a corner;

Thence N. 32° 28′ 00" E. a distance of 281.95 feet to an iron pipe at a corner;

Thence N. 36° 53′ 00" E. a distance of 343.59 feet to a point at land, now or formerly, of Kenneth and Betsy Engvall, the last three courses being by land, now or formerly, of L.E. and C.P. Peterson;

Thence N. 36° 53′ 00" E. a distance of 46.53 feet to an iron pipe at a corner;

Thence S. 83° 51′ 00" E. a distance of 406.19 feet to an iron pipe at a corner;

Thence S. 18° 26′ 00" E. a distance of 293.29 feet, more or less, to a point on the northeasterly side of the 1971 County Layout of Linden Street, the last three courses being by land, now or formerly, of K. and B. Engvall;

Thence Northeasterly by Linden Street a distance of 468 feet, more or less to the first mentioned stone bound, being the point and place of beginning. Containing, by estimate, 54.7 acres, more or less.

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There is no recorded, nor known unrecorded, survey plan delineating the above described property. Reference may be made to the following plans recorded with Worcester District Registry of Deeds, which delineate parcels abutting the premises taken hereby: Plan Book 6, Plan 15; Plan Book 243, Plan 53; Plan Book 247, Plan 104; Plan Book 330, Plan 39; Plan Book 348, Plan 45; Plan Book 491, Plan 70; and Plan Book 565, Plan 21.

Meaning and intending to take hereby the above premises, howsoever the same may be bounded and described, and including any and all fee interest in Linden Street which may be held by the supposed owners, and being the same premises described as the first and third percels in a deed from Bruce W. Oberg and June E. Oberg to June E. Oberg as Trustee of the J&B Realty Trust, dated May 6, 1989 and recorded with Worcester District Registry of Deeds at Book 12182, Page 119.

AND IN LIKE MANNER, for the same purposes and by virtue of the same powers, the said Metropolitan District Commission does hereby order the taking of and does hereby take in the name and for the benefit of the Commonwealth of Massachusetts, for the purposes of said acts and provisions, all trees on said land and structures affixed to said land, with the exception of the poles, wires, cables, conduits, pipes and their appurtenances, for the conveyance of water, sewage, steam, gas and electricity, and for the transmission of telephone and telegraph communications and data or signals by electrical or electronic or electromagnetic means of any kind, now lawfully in or upon said land, and excluding all easements of record on, over, under, across and through said land.

The Commission awards damages sustained by the supposed owner of the land hereinabove mentioned by reason of said taking, in the following sum:

OWNER	AWARD
June E. Oberg, Trustee of J&B Realty Trust	$ 245,000.00

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The Commission further V O T E D: to approve an award of damages in the amount of $245,000.00, together with such damages and costs as required under General Laws, Chapter 79, Sections 6, 12, 39 and 44A.

Adjourned at 11:40 a.m., to meet on Thursday, December 15, 1994, at 10:00 a.m.

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Account No. 2441-9886.
The Commission V O T E D: Approved.
The Commission further V O T E D: authorization for Commissioner Balfour to execute, on behalf of the Commission, six Contracts for Park Land Acquisition Program FY95 - Professional Real Estate M.G.L. C.21E Study Services - Open Order No. RP95-0004, as recommended by Mr. Jewett in his report of April 28, 1995.

1. Report of Mr. Jewett, April 28, recommending approval of and authorization for Commissioner Balfour to execute, on behalf of the Commission, an Amendment to Open Order Contract No. RP95-0002, with Brundrett & Moutinho, for Professional Real Estate Title Examination Services - Wachusett, Ware River and Quabbin Watershed Areas - Worcester and Franklin Counties. The Amendment will increase compensation to Brundrett & Moutinho from $9,425.00 to $15,100.00, for title examinations for an additional five parcels of land.
Account No. 2421-9936.
The Commission V O T E D: Approved.
The Commission further V O T E D: authorization for Commissioner Balfour to execute, on behalf of the Commission, an Amendment to Open Order Contract No. RP95-0002, with Brundrett & Moutinho, for Professional Real Estate Title Examination Services - Wachusett, Ware River and Quabbin Watershed Areas - Worcester and Franklin Counties.

2. Report of Mr. Jewett, April 29, on behalf of the Consultant Selection Committee, recommending selection of Carol R. Johnson Associates, Inc., for Project No. P95-1784-D1A, Rehabilitation of South Boston Beaches, South Boston.
Cost not-to-exceed - $500,000.00 - subject to final negotiations.
Time for Performance - Fifteen months.
Account No. 2440-8956.
The Commission V O T E D: Approved.

3. Report of Mr. Jewett, April 29, on behalf of the Consultant Selection Committee, recommending selection of Brown and Rowe, for Project No. P95-1783-D1A, Rehabilitation of Constitution Beach, East Boston.
Cost not-to-exceed - $250,000.00 - subject to final negotiations.
Time for Performance - Fifteen months.
Account No. 2440-8956.
The Commission V O T E D: Approved.

4. Report of Ms. Anderson, May 2, requesting approval and issuance of the revised MDC Boat Club and Yacht Club Permit and authorization for the Secretary to execute the Permits on behalf of the Commission.
The Commission V O T E D: to approve and issue the revised MDC Boat Club and Yacht Club Permits.
The Commission further V O T E D: to authorize the Secretary to execute the Permits on behalf of the Commission.

Action was taken upon the following matters relating to the Office of Real Property:

Record of the Three Thousand Seven Hundred and Twelfth (3712th) meeting of the Metropolitan District Commission duly called and held at 20 Somerest Street, Boston, Massachusetts, on Thursday, December 15, 1994 at 10:00 a.m.

Present, Commissioner Bhatti and Associate Commissioners Carr, Elkort, Settles and Wu.

The Records of the Commission Meeting held on November 17, 1994 were read and approved.

The Secretary submitted for signature the following paper which was signed by the Commissioner and four Associate Commissioners:

1. Contract-Agreement, dated December 15, 1994, with Daniel F. Coughlin, CPA, to Analyze All Contractors Financial Statements.

2. Contract-Agreement, dated December 15, 1994, with Motorola Communications and Electronics, Inc., for Installation of Air Quality Monitoring Systems - Ice Skating Rinks.

Action was taken upon the following matters relating to the Engineering and Construction Division:

3. Report of Messrs. Faucher and Kirwin, December 2, recommending approval of Amendment No. 1 to Contract-Agreement No. P92-1626-D1A, with Bruce Campbell & Associates, Inc., for Professional Traffic Engineering Services, which increases the upset limit from $250,000.00 to $350,000.00, due to the need to accomplish requested studies, designs and emergency projects to ensure public safety.
Account No. 2490-8881.
The Commission V O T E D: Approved.

4. Report of Messrs. Faucher and Abounaja, November 29, submitting for approval Project Summary, Project Justification, Work Schedule and authorization to advertise Project No. P95-1789-C1A, for Contaminated Site Clean-up at Various MDC Facilities.
Estimated Cost - $600,000.00.
Time for Performance - 36 months.
Account Nos. 2490-8910 and 2441-9952.
The Commission V O T E D: Approved.
The Commission further V O T E D: authorization to advertise Project No. P95-1789-C1A.

5. Report of Messrs. Jackson and Baratta, December 9, submitting for approval Project Summary, Project Justification, Work Schedule and authorization to advertise Project No. P95-1784-D1A, for Rehabilitation of South Boston Beaches.
Estimated Cost - $500,000.00.
Time for Performance - 15 months.
Account No. 2440-8956.
The Commission V O T E D: Approved.
The Commission further V O T E D: authorization to advertise Project No. P95-1784-D1A.

1. Report of Messrs. Jackson and Baratta, December 9, submitting for approval Project Summary, Project Justification, Work Schedule and authorization to advertise Project No. P95-1783-D1A, for Rehabilitation of Constitution Beach, East Boston.
Estimated Cost - $250,000.00.
Time for Performance - 15 months.
Account No. 2440-8956.
The Commission V O T E D: Approved.
The Commission further V O T E D: authorization to advertise Project No. P95-1783-D1A.

2. Report of Messrs. Baratta, Faucher and Jackson, December 9, recommending approval of an extension of time from December 29, 1994 to June 30, 1995, for administrative purposes, on Contract No. P93-1661-C1A, with I. W. Harding Construction, Co., Inc., for Improvements to Father Francis A. Ryan Playground.
(This extension shall not operate as a waiver on the part of the Commission or in any of its rights under this contract).
The Commission V O T E D: to approve an extension of time from December 29, 1994 to June 30, 1995, as recommended by Messrs. Baratta, Faucher and Jackson in their report of December 9, 1994, to be effective, however, only upon receipt of the written consent of the bonding company, and on condition that no further request will be made for additional compensation.

3. Report of Messrs. Faucher and Kirwin, November 21, recommending approval of the following revisions in quantities on Contract No. P92-1633-M1A, with Tri-State Signal, Inc., for Servicing Traffic Signal and Control Systems, Blue Hills and Old Colony Districts -

Item No. 002-010	**$2,338.62**
Materials, Components, Parts and Controls	
Item No. 004-030	**$3,228.75**
Labor Rate for Helper for Miscellaneous Repairs	
Item No. 006-020	**$ 80.00**
Vehicle Signal Head - Single Section - 12" Lens	
Item No. 014-009	**$ 85.00**
Traffic Signal Cable - 9 Conductor	
Total -	**$5,732.37**

($2,927.83 of this increase will be offset by underrun in Item No. 011-020 - Cement Concrete Foundation - Octagonal base. $2,804.54 will be funded from Account No. 2444-9001-NN).
The Commission V O T E D: Approved.

Action was taken upon the following matter relating to the Watershed Management Division:

4. Report of Messrs. McGinn and Robert O'Connor, November 30, on proposals for the purchase of forest products located on the Quabbin, Ware River and Wachusett Watersheds.
The Commission V O T E D: to accept the highest qualified bid, that of Peter Hook, of $1,151.00; to purchase approximately 1,567 board feet of timber and 57 cords of firewood on Timber Lot No. 118 - Wachusett Reservoir Watershed.

The Commission further V O T E D: to accept the highest qualified bid, that of Everett LaBree, of $1,130.00; to purchase approximately 65 cords of firewood on Timber Lot No. 119 - Wachusett Reservoir Watershed.
The Commission further V O T E D: to reject the only bid received, that of Ducat Lumber, of $3,416.11; to purchase approximately 113,870 board feet of timber, 178 cords of pulp and 164 cords of pulp in tops on Timber Lot No. 120 - Wachusett Reservoir Watershed, inasmuch as this offer falls below fair market value for this lot.
The Commission further V O T E D: to accept the highest qualified bid, that of T. Jepson & Son, of $1,460.00; to purchase approximately 23,930 board feet of timber, 240 cords of pulp and 37 cords of pulp in tops on Timber Lot No. 117 - Wachusett Reservoir Watershed.
The Commission further V O T E D: to accept the highest qualified bid, that of Ducat Lumber of $2,777.90; to purchase approximately 69,447 board feet of timber, 292 cords of pulp and 172 cords of pulp in tops on Timber Lot No. 116A - Wachusett Reservoir Watershed.
The Commission further V O T E D: to accept the highest qualified bid, that of Red Logging of $72,161.77; to purchase approximately 286,120 board feet of timber, 160 cords of firewood and 100 cords in tops on Timber Lot No. 686 - Quabbin Reservoir Watershed.
The Commission further V O T E D: to accept the highest qualified bid, that of Shannon, Inc., of $2,908.36; to purchase approximately 221 cords of firewood with 5 trees/cord on Timber Lot No. 687 - Quabbin Reservoir Watershed.
The Commission further V O T E D: to accept the highest qualified bid, that of Timber Leasing, of $1,250.00; to purchase approximately 144 cords of firewood with 5 trees/cord on Timber Lot No. 688 - Quabbin Reservoir Watershed.
The Commission further V O T E D: to accept the highest qualified bid, that of Curtis Lumber, of $40,613.00; to purchase approximately 39,898 board feet of timber, 84 cords of firewood and 713 tons of pulp on Timber Lot No. 689 - Quabbin Reservoir Watershed.
The Commission further V O T E D: to accept the highest qualified bid, that of Letourneau Products Mfg. Corp., of $3,400.00; to purchase approximately 35,430 board feet of timber, 46 cords of firewood and 651 tons of pulp on Timber Lot No. 690 - Quabbin Reservoir Watershed.
The Commission further V O T E D: to accept the highest qualified bid, that of Conkey Logging & Lumber, of $925.75; to purchase approximately 7,415 board feet of timber and 42 cords of firewood on Timber Lot No. 691 - Quabbin Reservoir Watershed.
The Commission further V O T E D: to accept the highest qualified bid, that of Dean Malin, of $24,361.12; to purchase approximately 259,635 board feet of timber, 153 cords of firewood, 25 cords in tops and 93 tons of pulp on Timber Lot No. 692 - Quabbin Reservoir Watershed.
The Commission further V O T E D: to accept the highest qualified bid, that of Red Logging, of $7,738.14; to purchase approximately 50,585 board feet of timber, 116 cords of firewood, 14 cords in tops and 15 tons of pulp on Timber Lot No. 693 - Quabbin Reservoir Watershed.

The Commission further V O T E D: to accept the highest qualified bid, that of New England Forest Products, of $1,526.80; to purchase approximately 8,420 board feet of timber and 88 cords of firewood on Timber Lot No. 241 - Ware River Watershed.
The Commission further V O T E D: to accept the highest qualified bid, that of Forward Enterprise, of $8,500.00; to purchase approximately 110,275 board feet of timber and 55 cords of firewood on Timber Lot No. 240 - Ware River Watershed.
The Commission further V O T E D: to accept the highest qualified bid, that of Sawyer Trucking, of $5,001.00; to purchase approximately 102,475 board feet of timber, 19 cords of firewood and 168 tons of pulp on Timber Lot No. 195A - Ware River Watershed.
The Commission further V O T E D: to accept the highest qualified bid, that of New England Forest Products, of $1,680.75; to purchase approximately 22,100 board feet of timber and 10 cords of firewood on Timber Lot No. 197A - Ware River Watershed.

Action was taken upon the following matter relating to the Recreational Facilities and Programs Division:

1. Report of Miss Connolly, December 12, submitting for approval and execution Permit-Agreement between the Metropolitan District Commission and Recreational Sports, Inc., for Operation of the Blue Hills Ski Area, Canton, for the period December 15, 1994 through October 31, 1995.
Following a discussion regarding the responsibilities of the operator of the Blue Hills Ski Area including regularly scheduled maintenance and upkeep of the lift equipment and related property, Associate Commissioner Settles suggested that the Commission engage the services of a firm qualified to perform inspections of the mechanical equipment. The Concessionaire would be billed by the Commission for the inspection service charges as part of the Permit fee.
Associate Commissioner Settles further suggested that an accounting firm be contracted with to perform spot audits of MDC concessionaires to ensure that the Commission is compensated according to terms of the concessionaire's permit.
The Commission V O T E D: Approved.
The Secretary submitted for signature Permit-Agreement, dated December 15, 1994, between the Metropolitan District Commission and Recreational Sports, Inc., for Operation of the Blue Hills Ski Area, Canton, for the period December 15, 1994 through October 31, 1995, which was signed by the Commissioner and three Associate Commissioners.
Associate Commissioner Elkort abstained from voting on this matter.

Action was taken upon the following matters relating to the Office of Real Property:

1. Report of Mr. Gray, December 12, recommending that the Commission adopt an Order of Taking for acquisition of approximately 1.067 acres of land owned by Edwin E. Wronski, et al, located in the Town of Sterling, Massachusetts, and to approve an award of damages in the amount of $4,500.00, together with such damages and costs as required under General Laws, Chapter 79, Sections 6, 12, 39 and 44A. Account No. 2420-8936.
The Commission V O T E D: to adopt an Order of Taking for acquisition of approximately 1.067 acres of land owned by Edwin E. Wronski, et al, located in the Town of Sterling, Massachusetts.

ORDER OF TAKING
COMMONWEALTH OF MASSACHUSETTS
METROPOLITAN DISTRICT COMMISSION

Boston, December 15, 1994.

ORDERED: That the Metropolitan District Commission by virtue of the power and authority conferred upon it by Chapter 564 of the Acts of 1987, Chapter 36 of the Acts of 1992, and Section 117 of Chapter 92 of the General Laws, and acts in amendment thereof or in addition thereto and every other power and authority hereto enabling, for the purposes of said acts and provisions, does hereby order the taking of and does hereby take in fee for watershed preservation, protection and operation purposes, under the provisions of Chapter 79 of the General Laws, in the name and behalf of the Commonwealth of Massachusetts, the following described land situated in the Town of Sterling in the County of Worcester and Commonwealth of Massachusetts, namely:

A certain parcel of land lying south of Princeton Road - Route 62, and southwesterly of Greenland Road, between said roads and the Stillwater River, more particularly bounded and described as follows:

Beginning at a Metropolitan District Commission concrete bound set at the point of intersection of the southwesterly sideline of Greenland Road and the southerly sideline of Princeton Road;

Thence Southeasterly along the sideline of Greenland Road, by a curve to the right with a radius of 120.00 feet, a distance of 98.97 feet to a MDC concrete bound;

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Thence S. 38° 26′ 08" E., by the road, a distance of 71.69 feet to another MDC concrete bound;

Thence Southeasterly along the southwesterly sideline of the road, by a curve to the left with a radius of 625.00 feet, a distance of 152.51 feet to an iron pin found at land, now or formerly, of Nancy E. Swenson;

Thence S. 43° 32′ 46" W., a distance of 115.00 feet to another MDC concrete bound;

Thence S. 43° 32′ 46" W. a distance of 29 feet, more or less, to a point on the northeasterly edge of the Stillwater River, the last two courses being by land, now or formerly, of Nancy E. Swenson;

Thence Northwesterly, southerly, and northwesterly along the Stillwater River, a distance of 550 feet, more or less, to the point of intersection with the southerly sideline of Princeton Road;

Thence S. 85° 41′ 30" E., by the sideline of the road, a distance of 6 feet, more or less, to a MDC concrete bound;

Thence S. 85° 41′ 30" E., by the southerly sideline of Princeton Road, a distance of 35.00 feet to the first mentioned bound, being the point and place of beginning.

Containing 1.067 acres, more or less, and shown upon a plan entitled "Land Taking Plan For Watershed Protection, Sterling (Worcester County) Mass., Commonwealth of Massachusetts, Metropolitan District Commission, Division of Watershed Management, Taking From Edwin E. Wronski & al, Princeton Road, Sterling, Ma.", dated June 21, 1993, and prepared by Land Planning Engineering & Survey, which plan shall be recorded with the Worcester District Registry of Deeds and made a part of this order, at a later date.

Meaning and intending to take hereby the above premises, howsoever the same may be bounded and described, and including any and all fee interest in Princeton Road - Route 62, Greenland Road, and the Stillwater River which may be held by the supposed owners, and being the same premises described as the second parcel in a deed from Joseph Wronski to Edwin E. Wronski, Chester J. Wronski, Edmund J. Wronski, and Harold J. Wronski, as tenants in common, dated August 6, 1969 and recorded with said Deeds at Book 4967, Page 468.

AND IN LIKE MANNER, for the same purposes and by virtue of the same powers, the said Metropolitan District Commission does hereby order the taking of and does hereby take in the name and for the benefit of the Commonwealth of Massachusetts, for the purposes of said acts and provisions, all trees on said land and structures affixed to said land, with the exception of the poles, wires, cables, conduits, pipes and their appurtenances, for the conveyance of water, sewage, steam, gas and electricity, and for the transmission of telephone and telegraph communications and data or signals by electrical or electronic or electromagnetic means of any kind, now lawfully in or upon said land, and excluding all easements of record on, over, under, across and through said land.

The Commission awards damages sustained by the supposed owners of the land hereinabove mentioned by reason of said taking, in the following sums:

OWNERS	AWARD
Edwin E. Wronski Chester J. Wronski Edmund J. Wronski Harold J. Wronski	$ 4,500.00

The Commission further V O T E D: to approve an award of damages in the amount of $4,500.00, together with such damages and costs as required under General Laws, Chapter 79, Sections 6, 12, 39

1. Report of Mr. Gray, December 12, recommending that the Commission adopt an Order of Taking for acquisition of approximately 1.13 acres of land owned by David D. Zukowski, located in the Town of Holden, Massachusetts, and to approve an award of damages in the amount of $55,000.00, together with such damages and costs as required under General Laws, Chapter 79, Section 6, 12, 39 and 44A. Account No. 2420-8936.
The Commission V O T E D: to adopt an Order of Taking for acquisition of approximately 1.13 acres of land owned by David D. Zukowski, located in the Town of Holden, Massachusetts.

ORDER OF TAKING
COMMONWEALTH OF MASSACHUSETTS
METROPOLITAN DISTRICT COMMISSION

Boston, December 15, 1994.

ORDERED: That the Metropolitan District Commission by virtue of the power and authority conferred upon it by Chapter 564 of the Acts of 1987, Chapter 36 of the Acts of 1992, and Section 117 of Chapter 92 of the General Laws, and acts in amendment thereof or in addition thereto and every other power and authority hereto enabling, for the purposes of said acts and provisions, does hereby order the taking of and does hereby take in fee for watershed preservation, protection and operation purposes, under the provisions of Chapter 79 of the General Laws, in the name and behalf of the Commonwealth of Massachusetts, the following described land situated in the Town of Holden in the County of Worcester and Commonwealth of Massachusetts, namely:

A certain parcel of land in Holden situated on the Easterly side of Mill Street,bounded and described as follows:

Beginning at a stake set, at land now or formerly of Edward and Jean M. Zukowski, and at the Southwesterly corner of the parcel being described, said stake lying 441.56 feet northerly of a Metropolitan District Commission Bound set on the Easterly side line of Mill Street;

Thence by Mill Street, N. 27 degrees-54'-55" W. 152.44 feet to the Northwesterly corner of the parcel being described and land now of the Commonwealth, formerly of Ryan;

Thence by land of the Commonwealth, N. 62 degrees-05'-05" E. 315 feet, more or less to the Quinapoxet River;

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Thence Southeasterly by the Quinapoxet River 213 feet, more or less, to a point at land now or formerly of Edward and Jean M. Zukowski, being also the Southeastern corner of the parcel being described;

Thence S. 75 degrees-58'-15" W. by land now or formerly of Zukowski 115 feet, more or less, to a stake at the edge of a pond.

Thence S. 75 degrees-58'-15" W. through said pond 75.38 feet to a stake;

Thence S. 57 degrees-52'-35" W. 66.14 feet to the first mentioned point and place of beginning, the last two courses being by land now or formerly of Zukowski.

Containing 49,232 square feet, more or less, and being parcel "A" on a plan of land of Mary C. Prescott, in Holden, by William C. Taylor, Associates, as recorded with Worcester South District Registry of Deeds at Plan Book 277, Plan 40.

Meaning and intending to take hereby the above premises, howsoever the same may be bounded and described, and including any and all fee interest in Mill Street and or the Quinapoxet River which may be held by the supposed owner, and being the same premises described in a deed from Edward and Jean M. Zukowski to David D. Zukowski, dated May 17,1985 and recorded with said Deeds in Book 8713, Page 249.

AND IN LIKE MANNER, for the same purposes and by virtue of the same powers, the said Metropolitan District Commission does hereby order the taking of and does hereby take in the name and for the benefit of the Commonwealth of Massachusetts, for the purposes of said acts and provisions, all trees on said land and structures affixed to said land, with the exception of the poles, wires, cables, conduits, pipes and their appurtenances, for the conveyance of water, sewage, steam, gas and electricity, and for the transmission of telephone and telegraph communications and data or signals by electrical or electronic or electromagnetic means of any kind, now lawfully in or upon said land, and excluding all easements of record on, over, under, across and through said land.

The Commission awards damages sustained by the supposed owner of the land hereinabove mentioned by reason of said taking, in the following sum:

OWNER	AWARD
David D. Zukowski	$ 55,000.00

The Commission further V O T E D: to approve an award of damages in the amount of $55,000.00, together with such damages and costs as required under General Laws, Chapter 79, Section 6, 12, 39 and 44A.

1. Report of Mr. Gray, December 12, recommending that the Commission adopt an Order of Taking for acquisition of approximately 15.58 acres of land owned by Viola A. Griffin, located in the Town of Holden, Massachusetts, and to approve an award of damages in the amount of $55,000.00, together with such damages and costs as required under General Laws, Chapter 79, Sections 6, 12, 39 and 44A. Account No. 2420-8936.
The Commission V O T E D: to adopt an Order of Taking for acquisition of approximately 15.58 acres of land owned by Viola A. Griffin, located in the Town of Holden, Massachusetts.

ORDER OF TAKING
COMMONWEALTH OF MASSACHUSETTS
METROPOLITAN DISTRICT COMMISSION

Boston, December 15, 1994.

ORDERED: That the Metropolitan District Commission by virtue of the power and authority conferred upon it by Chapter 564 of the Acts of 1987, Chapter 36 of the Acts of 1992, and Section 117 of Chapter 92 of the General Laws, and acts in amendment thereof or in addition thereto and every other power and authority hereto enabling, for the purposes of said acts and provisions, does hereby order the taking of and does hereby take in fee for watershed preservation, protection and operation purposes, under the provisions of Chapter 79 of the General Laws, in the name and behalf of the Commonwealth of Massachusetts, the following described land situated in the Town of Holden in the County of Worcester and Commonwealth of Massachusetts, namely:

A certain parcel of land situated on the northerly side of Quinapoxet Street and astride "Warren Tannery Brook" so called, more particularly bounded and described as follows:

Beginning at a gun barrel found at a point on the northerly side of Quinapoxet Street, at land, now or formerly, of Peter A. and Karen L. Griffin, being the southeasterly corner of the parcel being described;

Thence N. 08° 29′ 54" W. a distance of 80.00 feet to another gun barrel;

Thence N. 37° 21′ 38" W. a distance of 53.08 feet to another gun barrel;

Thence N. 05° 21′ 04" W. a distance of 466.73 feet to a gun barrel at the northeasterly corner of the property being described, and property, now or formerly, of James R. and Barbara J. Matheson, the last three courses being by land, now or formerly, of P.A. and K.L. Griffin;

Thence N. 73° 51′ 35" W. a distance of 202.605 feet, by land, now or formerly of J.R. and B.J. Matheson, to a point, at land, now or formerly of Paul J. and Mary S. Marois;

Thence N. 73° 51′ 35" W. a distance of 473.165 feet, by land, now or formerly, of P.J. and M.S. Marois, to a point, at land, now or formerly, of Glenn R. and Jean B. Knowlton;

Thence N. 73° 51′ 35" W. a distance of 47 feet, more or less, by land, now or formerly, of G.R. and J.B. Knowlton to a point on the centerline of "Warren Tannery Brook", so-called, and land formerly of Whitner R. Parker, now of the Commonwealth of Massachusetts;

Thence N. 88° 08′ 47" W. a distance of 296.5 feet, more or less, to a stake set in stones found, at the northwesterly corner of the parcel being described;

Thence S. 13° 26′ 45" E. a distance of 380.54 feet to a point at land, now or formerly, of Robert N. Armstrong, the last two courses being by land, formerly of W.R. Parker, now of the Commonwealth;

Thence N. 67° 15′ 15" E., by land, now or formerly, of R.N. Armstrong, and a line parallel to the northerly side of Quinapoxet Street, a distance of 100.00 feet to a corner;

Thence S. 13° 26′ 45" E., by land, now or formerly, of R.N. Armstrong, a distance of 437.00 feet to a point on the northerly side of Quinapoxet Street, said point being N. 67° 15′ 15" E. a distance of 100.00 feet from a MDC concrete bound, set on the northerly side of Quinapoxet Street at land, now or formerly, of R.N. Armstrong, and land of the Commonwealth;

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Thence Northeasterly, by the northerly side of Quinapoxet Street, and recrossing "Warren Tannery Brook", so-called, a distance of 825 feet, more or less, to the first mentioned gun barrel, being the point and place of beginning.

The above described property is estimated to contain 15.58 acres, more or less, and is represented as Parcel 5.1 upon Map 88 of the Holden Assessors Plans.

There is no recorded nor known unrecorded survey plan delineating the above described property. Reference may be made to the following plans recorded with the Worcester District Registry of Deeds, which delineate parcels abutting te premises taken hereby: Plan Book 443, Plan 7; Plan Book 453, Plan 20; and Plan Book 568, Plan 32. Reference may also be made to a plan prepared for the MDC by Merrimack Engineering, Inc., entitled "Commonwealth of Massachusetts, Metropolitan District Commission, Division of Watershed Management, Holden (Worcester County), Massachusetts, Land Taking Plan for Watershed Protection", dated June 4, 1992, and incorporated by reference within an order of taking dated June 4, 1992, which taking instrument was recorded with said Deeds in Book 14321, Page 398.

Meaning and intending to take hereby the above premises, howsoever the same may be bounded and described, and including any and all fee interest in Quinapoxet Street and "Warren Tannery Brook", so-called, which may be held by the supposed owners, and being all of the remaining lands lying north of Quinapoxet Street currently held by the reported owner, being a portion of the first parcel described in a deed from Leo A. Sharron and Clara G. Sharron, dated July 9, 1945 and recorded with the Worcester District Registry of Deeds in Book 2962, Page 156.

AND IN LIKE MANNER, for the same purposes and by virtue of the same powers, the said Metropolitan District Commission does hereby order the taking of and does hereby take in the name and for the benefit of the Commonwealth of Massachusetts, for the purposes of said acts and provisions, all trees on said land and structures affixed to said land, with the exception of the poles, wires, cables, conduits, pipes and their appurtenances, for the conveyance of water, sewage, steam, gas and electricity, and for the transmission of telephone and telegraph communications and data or signals by electrical or electronic or electromagnetic means of any kind, now lawfully in or upon said land, and excluding all easements of record on, over, under, across and through said land.

The Commission awards damages sustained by the supposed owner of the land hereinabove mentioned by reason of said taking, in the following sum:

OWNER	AWARD
Viola A. Griffin	$ 55,000.00

The Commission further V O T E D: to approve an award of damages in the amount of $55,000.00, together with such damages and costs as required under General Laws, Chapter 79, Sections 6, 12, 39 and 44A.

1. Report of Mr. Gray, December 12, recommending that the Commission declare surplus and transfer in accordance with Chapter 452 of the Acts of 1993, approximately 9,192 square feet of land located on Williamsville Road in the Town of Hubbardston, Massachusetts, for all purposes consistent with said Act.
The Commission V O T E D: to declare surplus and transfer in accordance with Chapter 452 of the Acts of 1993, approximately 9,192 square feet of land located on Williamsville Road in the Town of Hubbardston, Massachusetts, for all purposes consistent with said Act, as recommended by Mr. Gray in his report of

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1. Report of Mr. Gray, December 12, recommending that the Commission adopt a confirmatory order of taking for the acquisition of 11.3 acres located in the Town of Barre, Massachusetts, and to approve an award of total damages not to exceed the amount of $19,800.00, and in all matters to ratify the vote of the Commission at its meeting of June 27, 1991, relating to this transaction.
The Commission V O T E D: to adopt a confirmatory order of taking for the acquisition of 11.3 acres located in the Town of Barre, Massachusetts, and to approve an award of total damages not to exceed the amount of $19,800.00, and in all matters to ratify the vote of the Commission at its meeting of June 27, 1991, relating to this transaction.

CONFIRMATORY
ORDER OF TAKING
COMMONWEALTH OF MASSACHUSETTS
METROPOLITAN DISTRICT COMMISSION

Boston, December 15, 1994.

ORDERED: That the Metropolitan District Commission by virtue of the power and authority conferred upon it by Chapter 564 of the Acts of 1987, Chapter 36 of the Acts of 1992, and Section 117 of Chapter 92 of the General Laws, and acts in amendment thereof or in addition thereto and every other power and authority hereto enabling, for the purposes of said acts and provisions, does hereby order the taking of and does hereby take in fee for watershed preservation, protection and operation purposes, under the provisions of Chapter 79 of the General Laws, in the name and behalf of the Commonwealth of Massachusetts, the following described land situated in the Town of Barre in the County of Worcester and Commonwealth of Massachusetts, to confirm the acquisition of said land by the Commission by operation of an order of taking dated June 27, 1991, recorded with the Worcester District Registry of Deeds in Book 13488, Page 272, namely:

Parcel 1: A certain parcel of land formerly owned by the Penn Central Railroad, situated in said Barre south of Route 122 and mostly south of the Ware River, running through property acquired for the Commonwealth by the Metropolitan District Water Supply Commission, being all the land and premises, easements, rights of way and any other rights of any kind whatsoever appurtenant thereto or used in conjunction therewith on and along a portion of former railroad bed which used to be part of the rail line known as the Ware River Branch of the Boston & Albany Railroad, said portion being described as follows:

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Beginning: At a stone bound, at land now or formerly of Martone Trucking, Inc. and land now of the Commonwealth, formerly of White Brothers, Inc., being the eighth stone bound mentioned in the fifth section of an eminent domain instrument voted by the Metropolitan District Water Supply Commission, dated March 27, 1941 and recorded with the Worcester District Registry of Deeds at Book 2810, Page 365. Said bound is shown upon a plan entitled "Commonwealth of Massachusetts, Metr. Distr. Water Supply Commission, Ware River Watershed, Plan No. W-7 of Land Takings Under Chapter 375, Acts of 1926". This plan dated March 24, 1941, and signed by Karl R. Kennison, Chief Engineer, is identified as Accession # 27,525, and was recorded with the plans at said Registry of Deeds simultaneously with the taking instrument cited above;

Thence: Extending in a general northeasterly direction, following the northerly line of the railbed a distance of 4,210 feet more or less, crossing the Ware River, to a point on the southerly layout line of Route 122, this course being by land now of the Commonwealth, formerly of White Brothers, Inc.;

Thence: Northeasterly by the southerly layout line of said road, 138 feet, more or less, to a point on the southerly layout line of the former railbed being described;

Thence: Southwesterly by the southerly layout line of the former rail bed, and land formerly of White Brothers, Inc., now of the Commonwealth, in a series of five courses comprising a total distance of 4,365.80 feet, more or less, to the seventh stone bound mentioned and shown in the above cited taking and plan, and land now or formerly of Martone Trucking, Inc.;

Thence: N. 46° 41′ 56" W. by land now or formerly of Martone Trucking, Inc., a distance of 96.36 feet to stone bound number eight, being the point and place of beginning.

Together with all right, title and interest of, in and to the bridge over the Ware River included within the area described (Bridge No. 27.02), including superstructure, piers and abutments thereof, whether on the land conveyed herein or within the bed of said river.

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Excepting from the above described parcel, a lot of land of approximatly fourteen thousand square feet, identified by Resource Control, Inc. of Depot Road, Barre Ma., as property necessary for stormwater control and water quality monitoring for the Sanitary Landfill currently existing upon land, now or formerly, owned by the above mentioned Martone Trucking, Inc., more particularly bounded and described as follows:

Beginning: At stone bound number eight, as above described;

Thence: Northeasterly by the northerly layout line of the former B.& A. railbed above cited, a distance of 175 feet to a point;

Thence: S. 46° 41′ 56" E. a distance of 96.36 feet, crossing the railbed, to a point on the southerly side of the bed;

Thence: Southwesterly by the southerly layout line of the former railbed a distance of 175 feet to stone bound number 7, as identified above;

Thence: N. 46° 41′ 56" W. a distance of 96.36 feet to stone bound number eight, the point and place of beginning, the first and third courses being by land, formerly of White Brothers, Inc., now of the Commonwealth, and the second and fourth courses being by land, now or formerly of Martone Trucking, Inc..

The above described property is shown upon Railroad Valuation Maps Nos. 500-0050-0-26-4, 500-0050-0-27-4, and 500-0050-0-28-4 of the Penn Central Railroad.

Containing 7.6 acres, more or less.

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Parcel 2: A certain parcel of land formerly owned by the Boston & Maine Railroad, being a portion of the rail line known as the Central Mass Division, being all of that portion of the former rail bed, lying within the Town of Barre, between the Barre-Oakham town line and the so-called Outside Taking Line established between property formerly held by White Brothers, Inc., now land of the Commonwealth, and lands formerly held by the Barre Wool Combing Co.,Martin Smith, and Louis Mertzic, in the Metropolitan District Water Supply Commission General Taking Dated March 27, 1941, as recorded and cited above, more particularly bounded and described as follows:

Beginning: At stone bound number six as identified in the above cited MDWSC Taking and upon the above described MDWSC plan, at or near the end of a stone wall segment at land, now or formerly of Martone Trucking, Inc. and land of the Commonwealth, at a point on the northerly layout line of the former railbed;

Thence: Southeasterly along the northerly line of the railbed a distance of 2,115 feet, more or less, by land now of the Commonwealth, formerly of White Brothers, Inc., to the Barre-Oakham line;

Thence: Crossing the rail line along the town line, a distance of 100 feet, more or less, to a point on the southerly line of the railbed;

Thence: Northwesterly by the southerly line of the railroad and land of the Commonwealth, a distance of 1,975 feet, more or less to stone bound number five, and other land, now or formerly of Martone Trucking Inc., and land now or formerly of New England Power Company;

Thence: N. 48° 07′ 13" W. a distance of 93.53 feet, crossing the railbed to stone bound six, the point and place of beginning.

The above described property is shown upon the Right-of-Way and Track Map Sheet 54 of 98 Sheets for the Boston & Maine Railroad, Southern Division Main Line. This plan labeled V5/54 runs from survey station 2940+40 to survey station 2993+20.

Containing 3.7 acres, more or less.

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Parcels 1 and 2 are also depicted upon sheets 123, 124, and 144, of a series of plans prepared by the MDWSC entitled "Commonwealth of Massachusetts, Metr. Distr. Water Supply Commission, Ware River Watershed - Land & Topographic Survey". Said plans are on file at the MDC Headquarters, 20 Somerset St. Boston, Massachusetts 02108, and at the Quabbin Reservoir Administration Building, 485 Ware Rd., Belchertown, Massachusetts 01007.

Meaning and intending to take hereby the above premises, howsoever the same may be bounded and described, and including any and all fee interest in said Route 122 which may be held by the supposed owner, being a portion of the same premises described respectively in a deed from Leonard P. Martone et ux to Robert P. Foley, Trustee of the Robert Foley Realty Trust, dated January 27, 1984, and recorded with Worcester District Registry of Deeds at Book 8070, Page 7, and in a deed from Leonard P. Martone et ux to Robert P. Foley, Trustee as aforesaid, dated January 27, 1984, and recorded with said Deeds at Book 8070, Page 20.

This order of taking is a confirmatory taking, intended to ratify the order of taking dated June 27, 1991, and recorded with said Deeds at Book 13488, Page 272, insofar as the configuration of the premises described in said earlier taking of record conforms to that portion of the premises which lies within the Commonwealth's General Taking Line as established in the taking of the Metropolitan District Water Supply Commission, dated March 27, 1941, and recorded with said Deeds at Book 2810, Page 365. By this order of taking, the Metropolitan District Commission releases any and all right, title and interest the Commonwealth of Massachusetts may have acquired in a portion of the premises meant to be excluded from this acquisition, and does hereby exclude that portion of the premises described in the above deeds into Robert P. Foley, Trustee of the Robert Foley Realty Trust, recorded with said Deeds at Book 8070, Page 7, and Book 8070, Page 20, lying southwesterly of the General Taking Line, and northeasterly of Depot Road a.k.a. Barre Plains Road, being that portion of the premises which traverses the sanitary landfill.

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AND IN LIKE MANNER, for the same purposes and by virtue of the same powers, the said Metropolitan District Commission does hereby order the taking of and does hereby take in the name and for the benefit of the Commonwealth of Massachusetts, for the purposes of said acts and provisions, all trees on said land and structures affixed to said land, with the exception of machinery, equipment or materials affixed to or located on, under or within said land and related to the operation and/or closure of the Martone Sanitary Landfill, and with the exception of the poles, wires, cables, conduits, pipes and their appurtenances, for the conveyance of water, sewage, steam, gas and electricity, and for the transmission of telephone and telegraph communications and data or signals by electrical or electronic or electromagnetic means of any kind, now lawfully in or upon said land, and excluding all easements of record on, over, under, across and through said land.

The Commission awards damages sustained by the supposed owner of the land hereinabove mentioned by reason of said taking, in the following sum:

OWNER	AWARD
Martone Trucking, Inc.	$ 19,800.00

1. Report of Mr. Gray, December 14, recommending that the Commission authorize the acquisition by gift of a certain parcel of land situated on Bridge Street in the Town of Watertown, Massachusetts, containing 6,997 square feet, owned by Peter Fuller Dodge, Inc., for parks purposes.
The Commission V O T E D: to authorize the acquisition by gift of a certain parcel of land situated on Bridge Street in the Town of Watertown, Massachusetts, containing 6,997 square feet, owned by Peter Fuller Dodge, Inc., for parks purposes, as recommended by Mr. Gray in his report of December 14, 1994.

Action was taken upon the following matter relating to the Planning Division:

1. Report of Mrs. O'Brien, December 12, recommending approval and execution of an Amendment to the Memorandum of Agreement, dated, August 2, 1990, between the Metropolitan District Commission and Congress Group Ventures, Inc., General Partner/North Federal Properties Limited Partnership, in which certain improvements were to be made by MDC to the MDC Central Services Property and Congress Group Ventures, Inc., General Partner/North Federal Properties Limited Partnership, agreed to transfer a parcel of land to the MDC, and to reconstruct a portion of the seawall between Msgr. O'Brien Highway and MDC property. The Amendment calls for Congress Group Ventures, Inc., General Partner/North Federal Properties Limited Partnership to transfer the parcel of land described in the MOA and, in addition, make a $1,000,000.00 contribution to the Metropolitan Parks Trust Fund toward development of the MDC Reservation at North Point, due to the fact that the reconstruction of the seawall has been incorporated into the MDC's MOA with the Central Artery/Tunnel (CA/T) Project. Karl Haglund of the Planning Office briefed the Commission concerning the proposed Amendment and its mitigation components. Following a lengthy discussion, in which it was noted that any delay in approving the Amendment might jeopardize the project, the Commission requested that Commissioner Bhatti and staff of the Planning Office negotiate with the Department of Environmental Protection and Congress Group Ventures, Inc., General Partner/North Federal Properties Limited Partnership, in an effort to obtain further mitigation for the project.
The Commission V O T E D: Approved.
The Secretary then submitted for signature Amendment, dated December 15, 1994, to the Memorandum of Agreement, dated, August 2, 1990, between the Metropolitan District Commission and Congress Group Ventures, Inc., General Partner/North Federal Properties Limited Partnership, the following paper which was signed by the Commissioner and four Associate Commissioners.

Action was taken upon the following Various Matter:

2. Report of the Concession Selection Committee, December 14, recommending approval of a Permit to Charles Riverboat Company, Inc., for a boat service on the Charles River, for the period 1995 through 1998.
The Commission V O T E D: Approved.

Adjourned at 12:15 p.m., to meet on Thursday, December 22, 1994, at 10:00 a.m.

William F. Cusick
Secretary

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Record of the Three Thousand Seven Hundred and Thirteenth (3713th) meeting of the Metropolitan District Commission duly called and held at 20 Somerest Street, Boston, Massachusetts, on Thursday, December 22, 1994 at 10:00 a.m.

Present, Commissioner Bhatti and Associate Commissioners Carr, Elkort, Settles and Wu.

The Records of the Commission Meeting held on December 1, 1994 were read and approved.

Action was taken upon the following matters relating to the Engineering and Construction Division:

1. Report of Messrs. Faucher and Abounaja, December 13, submitting for approval Project Summary, Project Justification, Work Schedule and requesting authorization to advertise Project No. P88-1548-C4A, for Asbestos Abatement at Various MDC Locations.
Estimated Cost - $240,000.00.
Time for Performance - 36 months.
Account No. 2441-9952.
The Commission V O T E D: Approved.
The Commission further V O T E D: authorization to advertise Project No. P88-1548-C4A.

2. Report of Messrs. Faucher and Abounaja, November 28, submitting for approval Project Summary, Project Justification, Work Schedule and requesting authorization to advertise Project No. P95-1768-D1A, for Licensed Site Professional Services for Various MDC Contaminated Facilities.
Estimated Cost - $150,000.00.
Time for Performance - 36 months.
Account Nos. 2490-8910 and 2441-9952.
The Commission V O T E D: Approved.
The Commission further V O T E D: authorization to advertise Project No. P95-1768-D1A.

3. Report of Messrs. Baratta and Jackson, November 23, requesting approval of Extra Work Order No. 1, in the amount of $5,100.00, for selective clearing and pruning of vegetation along the bank of the Charles River at Riverdale Park, Dedham, on Contract No. P92-1628-C3A, with Popico, Inc., D/B/A Holden Farms Nursery, for Parkway Landscape Improvements.
(Funding available from unexpended funds under the Traffic Service Allowance of this Contract).
The Commission V O T E D: to approve Extra Work Order No. 1, in the amount of $5,100.00.

4. Report of Messrs. Faucher and Yuan, November 23, recommending the following on Contract No. P94-1711-C1A, with Riteway Steel, Inc., for Parapet Repair Bowker Interchange -
(a) That work be accepted as completed as of September 26, 1994.
(b) That Estimate No. 4F (Final), in the amount of $5,351.15, be approved for payment.
(c) That reserve, in the amount of $1,470.87, be approved for payment.

(Basis of Award - $42,545.64)
(Amount to Date - $29,417.37)
(Contract Administration Rating - 3.40)
(EEO Compliance - 4.00)
The Commission V O T E D: that the work of Riteway Steel, Inc., Contractor under Contract No. P94-1711-C1A, be and hereby is accepted as completed as of September 26, 1994.
The Commission further V O T E D: to approve Estimate No. 4F (Final), in the $5,351.15, for payment.
The Commission further V O T E D: to approve release of reserve, in the amount of $1,470.87, for payment.

1. Report of Messrs. Faucher and Abounaja, December 13, submitting for approval Project Summary, Project Justification, Work Schedule and requesting authorization to advertise Project No. P95-1792-C1A, for Lead Paint Removal at Various MDC Locations.
Estimated Cost - $480,000.00.
Time for Performance - 36 months.
Account No. 2441-9952.
The Commission V O T E D: Approved.
The Commission further V O T E D: authorization to advertise Project No. P95-1792-C1A.

Action was taken upon the following matters relating to the Watershed Management Division:

2. Report of Mr. McGinn, December 21, requesting authorization for Commissioner Bhatti to execute on behalf of the Commission, First Amendment to Administrative Consent Order of June 11, 1993, Between and Among Massachusetts Water Resources Authority, Metropolitan District Commission and Department of Environmental Protection, for the Watershed Protection Plan for the Wachusett Reservoir Watershed. The Amendment deletes June 30 on line 2 and substitutes therefor July 31; and deletes December 31 and substitutes therefor January 31.
The Commission V O T E D: to authorize Commissioner Bhatti to execute on behalf of the Commission, First Amendment to Administrative Consent Order of June 11, 1993, Between and Among Massachusetts Water Resources Authority, Metropolitan District Commission and Department of Environmental Protection, for the Watershed Protection Plan for the Wachusett Reservoir Watershed, as recommended by Mr. McGinn in his report of December 21, 1994.

3. Report of Mr. McGinn, December 20, requesting approval of an extension of time from December 31, 1994 to June 30, 1995 and authorization for Commissioner Bhatti to execute Letter Agreement No. 3 on Contract to Purchase Power from the Wachusett Generating Station (the "Wachusett Agreement").
(All other terms and conditions of Letter No. 2 shall remain in force and are incorporated herein by reference).
The Commission V O T E D: to approve an extension of time from December 31, 1994 to June 30, 1995 and authorization for Commissioner Bhatti to execute Letter Agreement No. 3 on Contract to Purchase Power from the Wachusett Generating Station (the "Wachusett Agreement"), as recommended by Mr. McGinn in his report of December 20, 1994.

Action was taken upon the following Various Matters:

1. Report of Mr. Jewett, December 20, recommending approval of, and authorization for Commissioner Bhatti to execute, on behalf of the Commission the following twelve (12) Contract-Agreements for Professional Real Estate Appraisal Services -

NAME	VALUE	PARCEL
Winthrop Real Estate Advisors	$69,450.00	23
Reynolds Company	$36,400.00	15
Leo M. Flynn	$69,150.00	23
Peter S. Emerson & Associates	$83,310.00	23
R. M. Bradley & Company, Inc.	$33,270.00	11
Green & Moody Associates	$10,900.00	5
William E. Coyle, Jr. & Assoc.	$11,500.00	5
Meredith & Grew, Inc.	$46,250.00	20
O'Connor Real Estate Assoc., Inc.	$12,500.00	4
Casey & Dennis	$18,250.00	10
James J. Czupryna	$16,900.00	6
G & M Valuation	$13,800.00	9

(These services were authorized on an open order basis by vote of the Commission on December 8, 1994, in an amount estimated to cost $600,000.00).
Account No. 2421-9936.
The Commission V O T E D: Approved.
The Commission further V O T E D: authorization for Commissioner Bhatti to execute, on behalf of the Commission the twelve (12) Contract-Agreements for Professional Real Estate Appraisal Services, as recommended by Mr. Jewett in his report of December 20, 1994.
Associate Commissioner Wu did not participate in discussion nor vote on this matter.

2. Request of Mr. Russell Cushman, Operator of the Charles Riverboat Company, Inc., to increase certain rates for his service on the Charles River, as outlined in his letter of December 21, 1994.
The Commission V O T E D: Approved as outlined in Mr. Cushman's letter of December 21, 1994.

Adjourned at 10:55 a.m., to meet on Thursday, January 5, 1995, at 10:00 a.m.

William F. Cushman
Secretary

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Record of the Three Thousand Seven Hundred and Fourteenth (3714th) meeting of the Metropolitan District Commission duly called and held at 20 Somerest Street, Boston, Massachusetts, on Thursday, January 5, 1994 at 10:00 a.m.

Present, Commissioner Bhatti and Associate Commissioners Carr, Elkort and Wu.

The Records of the Commission Meeting held on December 8, 1994 were read and approved.
Associate Commissioner Carr noting that he was not at the Commission Meeting of December 8, 1994, abstained from voting on this matter.

The Secretary submitted for signature the following paper which was signed by the Commissioner and three Associate Commissioners:

1. First Amendment, dated January 5, 1995, to Contract-Agreement with Cooperating Association for New England Parks, Inc. (CANEPI), for Full Time CANEPI Interns until March 8, 1995.

2. Contract No. P94-1751-C1A, dated January 5, 1995, with P. J. Kennedy & Sons, Inc., for Gas Fired Infrared Heating System at Ponkapoag Golf Course, Canton.

Action was taken upon the following matters relating to the Engineering and Construction Division:

3. Report of Messrs. Faucher and Higgott, December 27, submitting for approval and execution Joint Funding Agreement with the U.S. Geological Survey, for Gaging Stations within the Charles River and Mystic River Watersheds - P88-1530-M3A. MDC 50% share of cost is $29,004.00. Funding available in Account No. 2440-0010-TT for FY/95. Funding for the period July 1, 1995 to September 30, 1995 is contingent on budget appropriation. Time for Performance - October 1, 1994 to September 30, 1995.
The Commission V O T E D: Approved.
The Secretary then submitted for signature Joint Funding Agreement, dated January 5, 1995, with the U.S. Geological Survey, for Gaging Stations within the Charles River and Mystic River Watersheds - P88-1530-M3A, which was signed by the Commissioner and three Associate Commissioners.

4. Report of Messrs. Faucher, Sacco and DeLuca, January 4, requesting that the only bid received, in the amount of $121,500.00, on Contract No. P95-1786-C1A for Sandblasting and Painting - Everett Pool, Chelsea Pool and Stoneham Pool, be rejected as the bid was 20% above the Engineer's estimate and that permission be granted to readvertise the project.
The Commission V O T E D: to reject the only bid received, in the amount of $121,500.00, on Contract No. P95-1786-C1A for Sandblasting and Painting - Everett Pool, Chelsea Pool and Stoneham Pool, as requested by Messrs. Faucher, Sacco and DeLuca in their report of January 4, 1995.
The Commission further V O T E D: Permission to readvertise the Project.

1. Report of Messrs. Faucher and Haider, December 21, requesting ratification and approval of the action of Deputy Director Faucher resulting in revisions in quantities and Extra Work Orders on Contract No. P93-1687-M2A, with P. H. Mechanical Corporation, for Servicing HVAC Systems at Various MDC Facilities, as follows -

Revisions in Quantities

Item No. 004-010 - Licensed Technician - $32,010.00
Item No. 005-010 - Technician Helper - $ 5,000.00
Item No. 006-010 - Materials & Parts - $ 2,990.00
Total - $40,000.00

(Funding for Revisions from Account No. 2440-0010).

Extra Work Order No. 3 **$35,000.00**
Boiler Replacement Simoni Rink, Cambridge

Extra Work Order No. 4 **$25,000.00**
Boiler and Heater Repairs Central Services Garage, Cambridge

(Funding for Extra Work Order No. 3 - Account No. 2440-8798. Funding for Extra Work Order No. 4 - Account No. 2490-0010).

The Commission V O T E D: to ratify and approve the action of Deputy Director Faucher which resulted in revisions in quantities, in the amount of $40,000.00, Extra Work Order No. 3, in the amount of $35,000.00 and Extra Work Order No. 4, in the amount of $25,000.00, on Contract No. P93-1687-M2A, with P. H. Mechanical Corporation, for Servicing HVAC Systems at Various MDC Facilities.

Action was taken upon the following matters relating to the Watershed Management Division:

2. Report of Messrs. McGinn and Orfant, December 15, recommending the following on Contract No. WM94-021-X1A, with Nashua River Watershed Association, for Wachusett Watershed Protection - Community Assistance Project -

(a) That work be accepted as completed as of June 30, 1994.
(b) That Retainage (Invoice No. WTF-05) Final, in the amount of $1,003.99, be approved for payment.
(Basis of Award - $15,000.00)
(Amount to Date - $10,039.99)
(Contract Administration Rating - 9.00 with 10.00 being excellent)
(EEO Compliance - N/A)

The Commission V O T E D: that the work of Nashua River Watershed Association, for Wachusett Watershed Protection - Community Assistance Project, under Contract No. WM94-021-X1A, be and hereby is accepted as completed as of June 30, 1994.

The Commission V O T E D: to approve release of Retainage (Invoice No. WTF-05) Final, in the amount of $1,003.99, for payment.

3. Report of Mr. McGinn, December 14, recommending the following on Contract No. WM93-011-X1B, with University of Massachusetts - Amherst/Grants, for "Orthophotoquad Base Map Development.

(a) That work be accepted as completed as of June 30, 1994.

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(b) That Estimate No. 11 (Final), in the amount of $2,705.52, be approved for payment.
(Basis of Award - $77,853.00)
(Amount to Date - $77,853.00)
(Contract Administration Rating - 8.50)
(EEO Compliance - N/A)
The Commission V O T E D: that the work of the University of Massachusetts - Amherst/Grants, for "Orthophotoquad Base Map Development, under Contract No. WM93-011-X1B, be and hereby is accepted as completed as of June 30, 1994.
The Commission further V O T E D: to approve Estimate No. 11 (Final), in the amount $2,705.52, for payment.

1. Report of Mr. McGinn, December 20, submitting for approval and execution Quabbin Park Cemetery Deed No. Q-1675, conveying N.E. 1/2 of Lot No. 1123 to Mr. Thomas F. Kology.
The Commission V O T E D: Approved.
The Secretary submitted for signature, Quabbin Park Cemetery Deed No. Q-1675, which was signed by the Commissioner and two Associate Commissioners.

2. Report of Messrs. McGinn and Vignaly, December 19, requesting approval and execution of an Amendment to a Joint Funding Agreement with the Department of the Interior, Geologic Survey, for an expanded scope of Services including the originally specified scope as approved by the Commission on July 28, 1994 and two additional work efforts on Contract No. WM95-057-S1A, for Gauging of Streams and Groundwater. The original Agreement was for $87,956.00, with MDC's share $43,478.00. The Amendment is in the amount of $16,200.00, increasing the total to $104,156.00. The MDC's revised share will be $70,388.00.
Funding from Account No. 2420-1400 sub TT.
The Commission V O T E D: Approved.
The Secretary then submitted for signature Amendment, dated January 5, 1995, to Joint Funding Agreement with the Department of the Interior, Geologic Survey, which was signed by the Commissioner and two Associate Commissioners.

Action was taken upon the following Various Matter:

3. Report of Mr. Wright, December 29, submitting for approval and execution Agreement with the City of Quincy, Department of State Police and the Metropolitan District Commission for Joint Police Protection of specific areas of MDC property within the City of Quincy.
The Commission V O T E D: Approved.
The Secretary then submitted for signature Agreement, dated January 5, 1995, with the City of Quincy, Department of State Police and the Metropolitan District Commission for Joint Police Protection of specific areas of MDC property within the City of Quincy, which was signed by the Commissioner and three Associate Commissioners.

Adjourned at 11:20 a.m., to meet on Thursday, January 19, 1995, at 10:00 a.m.

William F. Cheshire
Secretary

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19,1995

Record of the Three Thousand Seven Hundred and Fifteenth (3715th) meeting of the Metropolitan District Commission duly called and held at 20 Somerest Street, Boston, Massachusetts, on Thursday, January 19, 1994 at 10:00 a.m.

Present, Commissioner Bhatti and Associate Commissioners Carr, Elkort, Settles and Wu.

The Records of the Commission Meetings held on December 15, 1994 and December 22, 1994, were read and approved.

The Secretary submitted for signature the following papers which were signed by the Commissioner and four Associate Commissioners:

1. Contract-Agreements, dated January 19, 1995, with Reliable Rubbish, SEMASS and Laidlaw, for Rubbish Dumpster Supply Service and Waste Disposal and Direct Dumping, for the period July 1, 1994 through June 30, 1996.

2. Contract No. P94-1741-M1A, dated January 19, 1995, with Brewster Electric Co., Inc., for General Edwards Bridge Maintenance Contract, Revere/Lynn.

Action was taken upon the following matters relating to the Engineering and Construction Division:

3. Report of Messrs. Faucher and Higgott, January 12, submitting for approval project with Camp Dresser and McKee, Inc., for Design Review on Contract No. 1753-D1A, for Sewerage System Modification Design Review Services, for the MDC Nahant Comfort Station, at a cost of $3,000.00, and permission be granted to advertise a Contract for Construction of the Nahant Comfort Station Sewerage System Modifications.
Estimated Cost - $39,000.00.
Time for Performance - Design Services - one month.
Construction - two months.
Account No. 2440-8795.
The Commission V O T E D: Approved as recommended by Messrs. Faucher and Higgott in their report of January 12, 1995.
The Commission further V O T E D: Permission to advertise for Construction of the Nahant Comfort Station Sewerage System Modifications.

4. Report of Messrs. Faucher and DiPietro, January 10, recommending approval of an Amendment to Contract-Agreement No. P87-1449-M4A, with Aquatec, Inc., for Water Quality Testing at MDC Recreational Waters, which increases the upset limit from $60,000.00 to $70,000.00, due to the need for additional work on the Contract.
Account No. 2440-8956.
The Commission V O T E D: Approved.

Action was taken upon the following matters relating to the Watershed Management Division:

1. Report of Messrs. McGinn and Vignaly, January 4, recommending the following on Contract No. WM94-057-S1A, with the Department of the Interior - USGS, for Stream Gaging -
(a) That work be accepted as completed as of September 30, 1994.
(b) That Invoice No. 2 (Final), in the amount of $6,157.00, be approved for payment.
(Basis of Award - $24,630.00)
(Amount to Date - $24,630.00)
(Contract Administration Rating - 8.00 - with 10.00 being excellent)
(EEO Compliance - N/A)
The Commission V O T E D: that the work of the Department of the Interior - USGS, for Stream Gaging, be and hereby is accepted as completed as of September 30, 1994.
The Commission further V O T E D: to approve Invoice No. 2 (Final), in the amount of $6,157.00, for payment.

2. Report of Messrs. McGinn and Vignaly, January 4, recommending the following on Contract No. WM94-055-S1A, with the Department of the Interior - USGS, for Gauge Installation at Stillwater River -
(a) That work be accepted as completed as of September 30, 1994.
(b) That Invoice No. 2 (Final), in the amount of $16,273.00, be approved for payment.
(Basis of Award - $48,820.00)
(Amount to Date - $48,820.00)
(Contract Administration Rating - 8.00 - with 10.00 being excellent)
(EEO Compliance - N/A)
The Commission V O T E D: that the work of the Department of the Interior - USGS, for Gauge Installation at Stillwater River, be and hereby is accepted as completed as of September 30, 1994.
The Commission further V O T E D: to approve Invoice No. 2 (Final), in the amount of $16,273.00, for payment.

3. Report of Messrs. McGinn and O'Connor, January 10, submitting for approval and requesting authorization for Commissioner Bhatti to execute on behalf of the Commission, Interdepartmental Agreement with the University of Massachusetts at Amherst, which provides for the University to donate (12) 3 to 4 inch caliper flowering crab apple trees in exchange for (7) cords of tree length and (39) cords of standing cordwood from Quabbin Reservation. (The cordwood has a value of $600.00. The trees have a value of $150.00 to $200.00 each).
The Commission V O T E D: Approved.
The Commission further V O T E D: authorization for Commissioner Bhatti to execute on behalf of the Commission, Interdepartmental Agreement with the University of Massachusetts at Amherst, which provides for the University to donate (12) 3 to 4 inch caliper flowering crab apple trees in exchange for (7) cords of tree length and (39) cords of standing cordwood from Quabbin Reservation.

Action was taken upon the following matters relating to the Office of Real Property:

1. Report of Mr. Gray, January 12, submitting for approval Work Schedule and Project Summary and Justification for Project No. RP95-0004, for Open Order Contract - Appraisals for Park Land Acquisition and Protection in FY95 (Middlesex, Suffolk, Norfolk, Essex and Plymouth Counties).
Estimated Cost $550,000.00.
Account No. 2441-9886.
The Commission V O T E D: Approved.

2. Report of Mr. Gray, January 12, submitting for approval Work Schedule and Project Summary and Justification for Project No. RP95-0002, for Open Order Contract - Title Examinations for Watershed Land Acquisition and Protection in FY95 (Franklin and Worcester Counties).
Estimated Cost - $75,00.00.
Account No. 2421-9936.
The Commission V O T E D: Approved.

Adjourned at 11:40 a.m., to meet on Thursday, January 26, 1995, at 10:00 a.m.

William J. Cusbolo
Secretary

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Record of the Three Thousand Seven Hundred and Sixteenth (3716th) meeting of the Metropolitan District Commission duly called and held at 20 Somerest Street, Boston, Massachusetts, on Thursday, January 26, 1994 at 10:00 a.m.

Present, Commissioner Bhatti and Associate Commissioners Carr, Elkort, Settles and Wu.

The Records of the Commission Meeting held on January 5, 1995 were read and approved.

Action was taken upon the following matters relating to the Engineering and Construction Division:

1. Report of Messrs. Baratta and Jackson, January 20, recommending approval of the request of the Contractor for an extension of time from February 28, 1995 to June 1, 1995, on Contract No. P82-1034-C1B, with Northern Tree Service, Inc., for Landscape Improvements to Beaver Brook Reservation, Waltham and Belmont. (At no increase in Contract cost).
The Commission V O T E D: to approve an extension of time from February 28, 1995 to June 1, 1995, as recommended by Messrs. Baratta and Jackson in their report of January 20, 1995, to be effective, however, only upon receipt of the written consent of the bonding company, and on condition that no further request will be made for additional compensation.

2. Report of Messrs. Faucher, Brooks and DeLuca, December 29, submitting for approval Project Summary, Work Schedule and Project Justification and requesting authorization to advertise Project No. P95-1790-M1A, for Service and Repairs to all MDC Swimming Pools and Service Buildings Within the Metropolitan Parks System. Time for Performance - 24 months.
Estimated Cost - FY95 - $140,000.00
FY96 - $340,000.00
FY97 - $200,000.00
Funding from Account No. 2440-0010-NN.
(Funding for FY96 and FY97 contingent upon funds being made available in Account No. 2440-0010-NN through the annual budget appropriation).
The Commission V O T E D: Approved.
The Commission further V O T E D: authorization to advertise Project No. P95-1790-M1A, for Service and Repairs to all MDC Swimming Pools and Service Buildings Within the Metropolitan Parks System.

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Report of Messrs. Faucher and Haider, January 23, requesting ratification and approval of the action of Deputy Director Faucher resulting in Extra Work Order No. 1 and No. 2 and a revision in quantities on Contract No. P94-1727-C1A, with Great Northern Demolition Corp., for Demolition and Disposal of Belmont Skating Rink, Belmont and Martin House, Milton, as follows -
Extra Work Order No. 1 $22,560.94
Emergency Removal of Hazardous Ammonia
Anhydrous and Disposal
Extra Work Order No. 2 $ 4,000.00
Demolish Steel Shed, Blue Hills Reservation

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Revision in Quantities $60,079.00
Increase in the Amount of Contaminated Soil
from 100 tons at $100.00 per ton up to 700.79
tons
(Unused Item No. 007-010 - Cofferdam and Water Control - in amount of $50,000.00, will offset the revision in quantities and reduce the net increase to $10,079.00).
and an Extension of Time from August 11, 1994 to June 30, 1995 to allow time for grass to mature.
Funding from Account No. 2440-8885.
The Commission V O T E D: to ratify and approve the action of Deputy Director Faucher.
The Commission further V O T E D: to approve Extra Work Order No. 1, in the amount of $22,560.94.
The Commission further V O T E D: to approve Extra Work Order No. 2, in the amount of $4,000.00.
The Commission further V O T E D: to approve Revision in Quantities, in the amount of $60,079.00, reduced to $10,079.00 by unused quantities in the amount of $50,000.00, in Item No. 007-010 - Cofferdam and Water Control.
The Commission further V O T E D: to approve an extension of time from August 11, 1994 to June 30, 1995, as requested by Messrs. Faucher and Haider in their report of January 23, 1995, to be effective, however, only upon receipt of the written consent of the bonding company, and on condition that no further request will be made for additional compensation.

1. Report of Messrs. Faucher, Sacco and DeLuca, January 18, on bids for Pool Filtration Systems - Boston (Lee) Wading Pool, Somerville (Dilboy) Pool and Hyde Park (Olsen) Pool. Contract No. P95-1787-C1A.
Account No. 2440-8952.
(Messrs. Faucher, Sacco and DeLuca recommend acceptance of the only bid received, that of Allied Weatherproofing Co., Inc., of $478,820.00).
Associate Commissioner Carr expressed his concern regarding Allied Weatherproofing's performance on past MDC swimming pool contracts. He noted that in the past, the contractor had failed to meet deadlines, was tardy in submitting paper work and in some instances, left facilities in an unacceptable condition.
In response to a question from Associate Commissioner Wu, Mr. Brooks stated that five firms were originally interested in bidding on the project. However, Allied Weatherproofing submitted the only proposal.
Mr. Sacco noted that prior to the day of the bid opening, he contacted the other four contractors and they all signified an interest in bidding on the Contract. He then stated that he was at a loss to explain why more contractors didn't submit proposals.
Associate Commissioner Carr noted there must have been a reason why the other four firms did not submit proposals. He suggested that the four be contacted once again and asked why they did not bid.
Associate Commissioner Wu suggested that we start the process for next year's pool work earlier. By so doing, he noted, we might

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obtain more bids.
Associate Commissioner Elkort stated that she felt the MDC would get more firms to bid if the project was broken into three separate projects.
Following a lengthy discussion, Associate Commissioner Carr moved that the item be Held Over and staff be requested to contact the four firms that did not bid and inquire as to why they did not submit proposals for the Contract.
The Commission V O T E D: Held Over.

Action was taken upon the following matter relating to the Watershed Management Division:

1. Report of Messrs. McGinn and Vignaly, December 28, 1994, submitting for approval and execution Joint Funding Agreement with the U.S. Department of the Interior, (U.S.G.S.), for Stream Gaging - October 1, 1992 through September 30, 1993. MDC 50% share of cost is $23,945.00. Account No. 2420-1400.
The Commission V O T E D: Approved.
The Secretary then submitted for signature Joint Funding Agreement, dated January 26, 1995, with the U.S. Department of the Interior, (U.S.G.S.), for Stream Gaging - October 1, 1992 through September 30, 1993, which was signed by the Commissioner and four Associate Commissioners.

Action was taken upon the following matter relating to the Reservations and Historic Sites Division:

2. Report of Mr. Broderick, January 11, requesting renewal of a Contract with Friends of Boston Harbor Islands, for the Services of Volunteers for George's, Lovell's and Peddock's Islands. Cost not to exceed $5,700.00.
Time for Performance - July 1, 1994 through June 30, 1995. (Contract is subject to the availability of funds in MDC operating budget in Account No. 2440-0010-JJ).
The Commission V O T E D: Approved.

Action was taken upon the following Various Matter:

3. Report of Mr. Jewett, January 23, recommending approval of and authorization for the Commissioner to execute, on behalf of the Commission, the following nine (9) Contracts for Watershed Land Acquisition Program FY95 - (MDC Open Order Contract No. RP95-0002) - for Professional Real Estate Title Examination Services, Wachusett, Ware River and Quabbin Watershed Areas - Worcester and Franklin Counties.
Account No. 2420-9883.

NAME	VALUE	PARCELS
Brundrett & Moutinho BayBank Tower, Suite 904 1500 Main Street P. O. Box 15327 Springfield, MA 01115-5327	$ 9,425.00	11
Cohan & Associates 175 Derby Street, Unit 7 P. O. Box 409 Hingham, MA 02043	$13,375.00	17

NAME	VALUE	PARCELS
Ficco & Simmler 5 East Street P. O. Box 456 Franklin, MA 02038-0456	$ 7,465.00	10
Law Office of Peter E. Flynn, P.C. 78 Essex Street Saugus, MA 01906	$ 7,450.00	12
McKenzie & Edwards, P.C. U.S. Trust Building 141 Portland Street Cambridge, MA 02139-1937	$ 5,500.00	10
Nelson and O'Connell Title Co., Inc. Registry of Deeds 2 Main Street Worcester, MA 01608	$ 2,800.00	3
George S. Norton, Esquire 140 Windermere Road Auburndale, MA 02166	$ 5,560.00	8
Perlman, Rubin & Stein, P.C. 25 Braintree Hill Office Park/S-204 P.O. Box 850983 Braintree, MA 02185-0983	$ 1,800.00	4
Ritchie, Ennis, Seewald & Collins, P.C. Five East Pleasant Street Amherst, MA 01002-1501	$ 4,300.00	2

The Commission V O T E D: Approved.
The Commission further V O T E D: authorization for the Commissioner to execute, on behalf of the Commission, nine Contracts for Watershed Land Acquisition Program FY95 - (MDC Open Order Contract No. RP95-0002) - for Professional Real Estate Title Examination Services, Wachusett, Ware River and Quabbin Watershed Areas - Worcester and Franklin Counties.

1. Report of Miss Overton, January 25, submitting for approval and requesting authorization for Commissioner Bhatti to execute on behalf of the Commission, Memorandum of Understanding between the MDC and the Massachusetts Department of Fisheries, Wildlife and Environmental Law Enforcement, Public Access Board to Improve Public Access to Waters of the Commonwealth.
The Commission V O T E D: Approved.
The Commission further V O T E D: authorization for Commissioner Bhatti to execute on behalf of the Commission, Memorandum of Understanding between the MDC and the Massachusetts Department of

Fisheries, Wildlife and Environmental Law Enforcement, Public Access Board to Improve Public Access to Waters of the Commonwealth.

1. Report of Miss Overton, January 25, submitting for approval and authorization for the Commissioner to execute on behalf of the Commission, Interagency Service Agreement with the Division of Capital Planning for Environmental Consultant Services to Investigate Clean State Related Projects.
MDC Assessment for the $3 million statewide contract with Camp Dresser and McKee is $258,461.00.
Account No. 2441-9952.
The Commission V O T E D: Approved.
The Commission further V O T E D: authorization for the Commissioner to execute on behalf of the Commission, Interagency Service Agreement with the Division of Capital Planning for Environmental Consultant Services to Investigate Clean State Related Projects.

Action was taken upon the following matters relating to the Office Real Property:

2. Report of Mr. Gray, January 24, submitting for approval, Work Schedule and Project Summary and Justification, for Open Order Contract No. RP95-0003, for Surveys for Watershed Land Acquisition FY/95 - Worcester and Franklin Counties. Cost $200,000.00. Account No. 2421-9936, under Sections 6 and 12 of Chapter 36 of the Acts of 1992, as amended - (Cohen Bill).
The Commission V O T E D: Approved.

3. Report of Mr. Gray, January 24, submitting for approval, Work Schedule and Project Summary and Justification, for Open Order Contract No. RP95-0005, for Title Examinations for Park Land Acquisition FY/95 - Middlesex, Suffolk, Norfolk, Essex and Plymouth Counties. Cost $80,000.00. Account No. 2441-9886, under Section 32 of Chapter 564 of the Acts of 1987 - (Open Space Bond).
The Commission V O T E D: Approved.

4. Report of Mr. Gray, January 24, submitting for approval, Work Schedule and Project Summary and Justification, for Open Order Contract No. RP95-0006, for Surveys for Park Land Acquisition FY/95 - Middlesex, Suffolk, Norfolk, Essex and Plymouth Counties. Cost $250,000.00. Account No. 2441-9886, under Section 32 of Chapter 564 of the Acts of 1987 - (Open Space Bond).
The Commission V O T E D: Approved.

The following matter was placed on the agenda for the information of the Commission:

5. The following schedules were approved for payment by the Commissioner during the period from November 1, 1994 to November 30, 1994.

Expenditures $2,139,932.10

Adjourned at 12:15 p.m., to meet on Thursday, February 2, 1995, at 10:00 a.m.

William F. Cusick
Secretary

Record of the Three Thousand Seven Hundred and Seventeenth (3717th) meeting of the Metropolitan District Commission duly called and held at 20 Somerest Street, Boston, Massachusetts, on Thursday, February 2, 1995 at 10:00 a.m.

Present, Commissioner Bhatti and Associate Commissioners Carr, Elkort, Settles and Wu.

The Records of the Commission Meeting held on January 19, 1995 were read and approved.

The Secretary submitted for signature the following paper which was signed by the Commissioner and four Associate Commissioners:

1. Contract, dated February 2, 1995, with Marine Safety Consultants, for Consultant Services for Repair and Rehabilitation of Nantucket Lightship.

Action was taken upon the following matters relating to the Engineering and Construction Division:

2. Report of Messrs. Faucher, Sacco and DeLuca, January 18, on bids for Pool Filtration Systems - Boston (Lee) Wading Pool, Somerville (Dilboy) Pool and Hyde Park (Olsen) Pool. Contract No. P95-1787-C1A.
Account No. 2440-8952.
(Messrs. Faucher, Sacco and DeLuca recommend acceptance of the only bid received, that of Allied Weatherproofing Co., Inc., of $478,820.00).
Following a discussion regarding possible alternatives that could be used to interest additional qualified contractors to bid on the pool work, the Commission V O T E D: to reject the only bid received, that of Allied Weatherproofing Co., Inc., and further, to authorize the Division to readvertise the project as three separate and distinct contracts.

3. Report of Messrs. Faucher and Arinella, January 25, on bids for Emergency Contract to Remove and Replace a 250 KW Generator at the Amelia Earhart Dam, Somerville.
Contract No. P95-1791-C1A.
Account No. 2440-8952.
(Messrs. Faucher and Arinella recommend acceptance of the lowest bid received, that of F. M. Emergency Generator, Inc., of $38,814.70).
The Commission V O T E D: to accept the lowest bid received, that of F. M. Emergency Generator, Inc., of $38,814.70.

4. Report of Messrs. Faucher and Ivas, January 23, submitting for approval Project Summary, Project Justification, Work Schedule and requesting authorization to solicit consultant services for Project No. P87-1449-M5A, for Analytical and Water Quality Testing at MDC Facilities FY96-FY97.
Estimated Cost - FY96 is $40,000.00
FY97 is $40,000.00
(Funding for both years contingent upon sufficient funds being available through the annual budgetary appropriation process).

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Account No. 2440-0010.
The Commission V O T E D: Approved.
The Commission further V O T E D: authorization to solicit consultant services for Project No. P87-1449-M5A, for Analytical and Water Quality Testing at MDC Facilities.

1. Report of Messrs. Baratta and Jackson, January 13, on bids for 1995 Parkway Landscape Improvements.
Contract No. P92-1628-C4A.
Account No. 2490-8910.
(Messrs. Baratta and Jackson recommend acceptance of the lowest bid received, that of Northern Tree Service, Inc., of $304,500.00).
The Commission V O T E D: to accept the lowest bid received, that of Northern Tree Service, Inc., of $304,500.00.

2. Report of Messrs. Faucher and Soroka, January 24, submitting for approval Work Schedule, Project Summary, Project Justification and requesting permission to advertise Project No. P95-1771-C1A, for Installation of Mid-Block Pedestrian Signal, Day Boulevard, at the Carson Beach Bath House, South Boston.
Estimated Cost $50,000.00.
Time for Performance - 13 months.
Account No. 2490-8881.
The Commission V O T E D: Approved.
The Commission further V O T E D: permission to advertise Project No. P95-1771-C1A, for Installation of Mid-Block Pedestrian Signal, Day Boulevard, at the Carson Beach Bath House, South Boston.

3. Report of Messrs. Baratta, Faucher and Brooks, January 31, requesting approval of the following on Contract No. P92-1630-C2A, for Removal of Tugboats from the Charles River Lower Basin, Boston, Massachusetts - General Contractor - Boston Graving Dock Corporation -
   1. **Extension of Contract Completion time** for Administrative purposes only under the provisions of Article Number 22, and further that this extension shall in no way effect the liquidated damages in Article Number 21, from May 2, 1994 to February 20, 1995.
   Extra Work Order No. 3 for $35,000.00 for dry dock rental from May 2, 1994 through July 15, 1994.
   Extra Work Order No. 4 for $133,500.00 which includes $105,000.00 for dry dock rental from July 16, 1994 to February 20, 1995, and an upset limit of $28,500.00 for the cost of the disposal of the Luna in a landfill. The amount of the disposal cost is a "not to exceed" amount as we have not received the final disposal cost due to the need to further analyze the lead paint on the Luna.
   2. **Alteration No. 1** to the existing contract with Boston Graving Dock to allow Boston Graving Dock to dispose of the Luna in a landfill rather than delivering it to a third party as the contract currently provides.
   3. **Alteration No. 2** to the existing contract to allow the Boston Graving Dock to dispose of the Venus in a landfill rather than at sea as specified in the contract at no additional cost to the Commission.

Funding from Account No. 2449-7350 and Account No. 2441-9885.
Mr. Baratta introduced Miss Clutchey of the Engineering and Construction Division who proceeded to present a brief history of the project and the steps taken which resulted in the Division's recommended action.
At this point, Mr. Joseph Orfant of the Watershed Management Division, a former employee of the Massachusetts Historical Commission (MHC), appeared before the Commission and reviewed the process that resulted in the Memorandum of Agreement (MOA) with MHC. The MOA, he noted, will allow the MDC to dispose of the Luna if the Luna Preservation Society (LPS) fails to remove it from the dry dock by February 20, 1995.
Associate Commissioner Carr stated that it appears the MDC was constrained from removing the Luna earlier by historic regulatory agencies and a non-profit group with good intentions, but few resources to undertake the complex task of preserving the Luna. He then stated that is unfortunate that we didn't arrive at today's recommended resolution earlier.
Associate Commissioner Carr then questioned if February 20, 1995 was the absolute deadline for the LPS to remove the Luna.
Miss Clutchey stated that barring Court Action, the Luna would either be removed or disposed of no later than February 20, 1995.
Associate Commissioner Elkort questioned if the MDC would have any additional financial responsibility for the Luna after February 20, 1995. Miss Clutchey noted that once LPS removes the tug boat from the dry dock, the MDC's responsibility ends.
At this point, Commissioner Bhatti commended MDC staff involved in the project for their outstanding efforts in completing a very difficult task.
The Commission V O T E D: to approve an extension of time, for administrative purposes only, under the provisions of Article Number 22, from May 2, 1994 to February 20, 1995, as requested by Messrs. Baratta, Faucher and Brooks in their report of January 31, 1995, to be effective, however, only upon receipt of the written consent of the bonding company, if required, and on condition that no further request will be made for additional compensation and that this extension shall in no way effect the liquidated damages in Article Number 21, that may be due to the Commission and shall not operate as a waiver on the part of the Commission or in any of its rights under the Contract and to approve Extra Work Order No. 3, in the amount of $35,000.00, for dry dock rental from May 2, 1994 through July 25, 1994, and to approve Extra Work Order No. 4, in the amount of $133,500.00, which includes $105,000.00 for dry dock rental from July 16, 1994 to February 20, 1995, and an upset limit of $28,500.00 for the cost of the disposal of the Luna in a landfill. The amount of the disposal cost is a "not to exceed" amount as we have not received the final disposal cost due to the need to further analyze the lead paint on the Luna.
The Commission further V O T E D: to approve Alteration No. 1 to

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the existing contract with Boston Graving Dock to allow Boston Graving Dock to dispose of the Luna in a landfill rather than delivering it to a third party as the contract currently provides.
The Commission further V O T E D: to approve Alteration No. 2 to the existing contract to allow the Boston Graving Dock to dispose of the Venus in a landfill rather than at sea as specified in the contract at no additional cost to the Commission.
Associate Commissioner Wu did not participate in discussion nor vote on this matter.

1. Report of Mr. Haider, January 30, requesting that the Commission amend the vote of January 26, regarding Contract No. P94-1727-C1A, for Demolition and Disposal of Belmont Skating Rink, Belmont and Martin House, Milton, by revising the approved extension of time from August 11, 1994 to June 30, 1995 to read November 19, 1994 to June 30, 1995. All other aspects of the vote will remain the same.
The Commission V O T E D: to amend the vote of January 26, regarding Contract No. P94-1727-C1A, for Demolition and Disposal of Belmont Skating Rink, Belmont and Martin House, Milton, by revising the approved extension of time from August 11, 1994 to June 30, 1995 to read November 19, 1994 to June 30, 1995, to be effective, however, only upon receipt of the written consent of the bonding company, and on condition that no further request will be made for additional compensation. All other aspects of the vote will remain the same.

Action was taken upon the following matters relating to the Watershed Management Division:

2. Report of Messrs. McGinn and Kane, December 5, recommending the following on Contract No. WM95-001-X1A, with Framingham Excavation Company, Inc., for Demolition/Removal and Disposal of MDC House at 684 Water Street, Framingham, Massachusetts -
(a) That work be accepted as completed as of November 4, 1994.
(b) That Estimate No. 1 (Final), in the amount of $6,175.00, be approved for payment.
(c) That reserve, in the amount of $325.00, be approved for payment.

(Basis of Award - $6,500.00)
(Amount to Date - $6,500.00)
(Contract Administration Rating - 3.76)
(EEO Compliance - N/A)

The Commission V O T E D: that the work of Framingham Excavation Company, Inc., Contractor under Contract No. WM95-001-X1A, be and hereby is accepted as completed as of November 4, 1994.
The Commission further V O T E D: to approve Estimate No. 1 (Final), in the amount of $6,175.00, for payment.
The Commission further V O T E D: to approve release of reserve, in the amount of $325.00, for payment.

3. Report of Messrs. McGinn and Kane, December 10, recommending the following on Contract No. WM93-072-C1A, with M. L. Schmitt, Inc., for Replacement of Transformers and Standby Generator at

Quabbin Hill Tower Facility, Quabbin Reservoir, Ware, Massachusetts -
(a) That work be accepted as completed as of November 18, 1994.
(b) That Estimate No. 1 (Final), in the amount of $44,365.00, be approved for payment
(c) That reserve, in the amount of $2,335.00, be approved for payment.
(Basis of Award - $46,700.00)
(Amount to Date - $46,700.00)
(Contract Administration Rating - 3.83)
(EEO Compliance - N/A)
The Commission V O T E D: that the work of M. L. Schmitt, Inc., Contractor under Contract No. WM93-072-C1A, be and hereby is accepted as completed as of November 18, 1994.
The Commission further V O T E D: to approve Estimate No. 1 (Final), in the amount of $44,365.00, for payment.
The Commission further V O T E D: to approve release of reserve, in the amount of $2,335.00, for payment.

1. Report of Messrs. McGinn and Kane, January 25, submitting for approval Work Schedule, Project Summary, Project Justification and requesting permission to issue a request for proposals for Project No. WM95-011-D1A, for Restoration of the Downstream Areas, Goodnough Dike, Ware, Massachusetts.
Estimated cost is not-to-exceed $40,000.00.
Time for Performance - five months.
Account No. 2420-1400.
The Commission V O T E D: Approved.
The Commission further V O T E D: permission to issue a request for proposals for Project No. WM95-011-D1A, for Restoration of the Downstream Areas, Goodnough Dike, Ware, Massachusetts.

Action was taken upon the following matter relating to the Reservations and Historic Sites Division:

2. Report of Mr. Broderick, January 27, requesting approval to initiate a contract for Repairs and Re-powering of the Reservations and Historic Sites (LCM) Landing Craft Mechanized, which is used to move staff, equipment and supplies from the mainland to the Harbor Islands and back.
Estimated Cost - $80,000.00.
Time for Performance - 6 months.
Account No. 2440-8956 (sub. 00).
The Commission V O T E D: Approved.

Action was taken upon the following Various Matters:

3. Report of Messrs. McGinn and Broderick, January 27, submitting for approval and authorization for Commissioner Bhatti to execute on behalf of the Commission, Memorandum of Agreement between the MDC and Massachusetts Water Resources Authority for the Fells Reservoir Covered Storage Project.
The Commission V O T E D: Approved.
The Commission further V O T E D: authorization for Commissioner Bhatti to execute on behalf of the Commission, Memorandum of

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Agreement between the MDC and Massachusetts Water Resources Authority for the Fells Reservoir Covered Storage Project.

1. Report of Mr. Jewett, January 31, recommending approval of the following eleven (11) Contracts for Park Land Acquisition Program FY95 - (MDC Open Order No. RP95-0004) - for Professional Real Estate Appraisal Services -

NAME	VALUE	PARCELS
Winthrop Real Estate Advisors 50 Congress Street, Suite 715 Boston, MA 02109	$51,750.00	15
Reynolds Company 420 Washington Street, Suite 404 Braintree, MA 02184	$61,100.00	12
Leo M. Flynn 275 Cabot Street Beverly, MA 01915	$50,900.00	13
Peter S. Emerson & Associates 29 Albion Street Wakefield, MA 01880	$51,925.00	14
R. M. Bradley & Co., Inc. 250 Boylston Street Boston, MA 02116-3983	$23,425.00	6
William E. Coyle, Jr. & Associates 223 Central Avenue Seekonk, MA 02771	$ 5,500.00	3
Meredith & Grew, Inc. 160 Federal Street Boston, MA 02110-1701	$18,100.00	7
Casey & Dennis 14 Beacon Street Boston, MA 02108-3700	$ 8,000.00	3
Eric Reenstierna & Associates Bulfinch Square 43 Thorndike Street Cambridge, MA 02141	$18,400.00	5
Petersen/LaChance Realty Advisors William A. LaChance 100 Conifer Hill Drive Suite 208 Danvers, MA 01923	$ 8,900.00	1

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NAME	VALUE	PARCELS
Richard W. Patridge & Associates P. O. Box 220 Accord (So. Hingham, MA 02018	$ 6,000.00	2

The Commission V O T E D: Approved.
Associate Commissioner Wu did not participate in discussion nor vote on this matter.

1. At this point, Associate Commissioner Carr took official note of the impending departure of Commissioner M. Ilyas Bhatti.
The Associate Commissioners joined in an expression of appreciation for his efforts in furthering the goals, the policies, and the responsibilities of the Metropolitan District Commission, and wished him continued success in future endeavors. They expressed their appreciation for his bold and enthusiastic leadership in renewing the dream of Charles Eliot and returning the parks to the people.
During the past six years, Commissioner Bhatti has revitalized and beautified our reservations, parkways and beaches and acquired countless acres of parkland and watershed land and offered the public an expanded program of recreational activities and special events.
Ilyas has done much more. He has seen the best in his colleagues and associates and in all his fellow employees. He has given his best and all have responded. Ilyas has made the Metropolitan area a better place, a culturally richer place, a greener place.

Adjourned at 11:45 a.m., to meet on Thursday, February 9, 1995, at 10:00 a.m.

William F. Cheshire
S e c r e t a r y

Record of the Three Thousand Seven Hundred and Eighteenth (3718th) meeting of the Metropolitan District Commission duly called and held at 20 Somerest Street, Boston, Massachusetts, on Thursday, February 9, 1995 at 10:00 a.m.

Present, Commissioner Balfour and Associate Commissioners Carr, Settles and Wu.

The Records of the Commission Meeting held on January 26, 1995 were read and approved.

Action was taken upon the following matters relating to the Engineering and Construction Division:

1. Report of Messrs. Faucher and Arinella, January 18, on bids for Emergency Construction of New Above Ground Chamber at Helen Street, Pemberton Pier, in the Town of Hull, Massachusetts. Account No. 2440-8889.
(Messrs. Faucher and Arinella recommend acceptance of the lowest bid received, that of Raccuia Brothers Plumbing, of $68,888.00).
The Commission V O T E D: to accept the lowest bid received, that of Raccuia Brothers Plumbing, of $68,888.00.

2. Report of Messrs. Baratta and Jackson, February 1, submitting for approval Project Summary, Project Work Schedule, Project Justification and requesting authorization to advertise for bids on Project No. P95-1794-C1A, for Landscape Enhancements to MDC Properties.
Estimated Cost - $300,000.00.
Account No. 2490-8915.
The Commission V O T E D: Approved.
The Commission further V O T E D: authorization to advertise for bids on Project No. P95-1794-C1A, for Landscape Enhancements to MDC Properties.

3. Report of Messrs. Faucher and Haider, January 24, submitting for approval Work Schedule, Project Summary, Project Justification and requesting permission to advertise Project No. P95-1795-C1A, for Removal of Three MDC Facility Roofs and Replacing with Built-Up Cold Process Roof Systems.
Estimated Cost - $150,000.00 - 20 Somerset St., Boston
$ 60,000.00 - Leo J. Martin Golf Course, Weston
$140,000.00 - Blue Hill Educational Center, Canton
$350,000.00 - Total Cost
Time for Performance - 160 days
Account No. 2440-8952.
The Commission V O T E D: Approved.
The Commission further V O T E D: permission to advertise Project No. P95-1795-C1A, for Removal of Three MDC Facility Roofs and Replacing with Built-Up Cold Process Roof Systems.

4. Report of Messrs. Faucher and McCalla, February 2, recommending approval of a revision in quantities on the following items on Contract No. P94-1706-M1A, with Penachio Brothers Electrical Corporation, for Maintenance of Street Lighting Systems on

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Parkways and Roadways of the Metropolitan District -
Item No. 008-010 $ 435.00
Street Lights Transformer Base
Item No. 072-010 $ 710.00
Painting of Street Light Standard
Item No. 076-010 $35,000.00
Traffic Control Services
Total - $36,145.00
(At no additional contract cost. The cost will be offset by unused quantities in Item No. 075-010 - Material Components and Parts, Item No. 057-010 - Mercury Vapor Lighting Fixtures, and Item No. 056-010 - 250 Watt Mercury Vapor Lighting Fixtures - Riverway).
The Commission V O T E D: Approved as recommended by Messrs. Faucher and McCalla in their report of February 2, 1995.

1. Report of Messrs. Faucher and Lenhardt, February 2, recommending approval of the following on Contract No. P94-1747-C1A, with N. E. L. Corporation, for Bridge Expansion Joint Repair, Boston/Everett -
Revision in Quantities
Item No. 002-010 **$ 1,007.50**
Bituminous Concrete
Item No. 100-010 **$ 1,377.00**
Expansion Joint Replacement
Sweetser Bridge
Extra Work Order No. 1 **$24,182.71**
Repair Concrete Deck and Raise Drains
Total Cost - $26,567.21
Funding in the amount of $23,107.50 is available in Account No. 2490-8910. Remaining $3,459.71 is available in other Items.
The Commission V O T E D: to approve the revision in quantities as recommended by Messrs. Faucher and Lenhardt in their report of February 2, 1995.
The Commission further V O T E D: to approve Extra Work Order No. 1, in the amount of $24,182.71.

Adjourned at 10:35 a.m., to meet on Thursday, February 16, 1995, at 10:00 a.m.

William F. Currier
Secretary

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Record of the Three Thousand Seven Hundred and Nineteenth (3719th) meeting of the Metropolitan District Commission duly called and held at 20 Somerest Street, Boston, Massachusetts, on Thursday, February 16, 1995 at 10:00 a.m.

Present, Commissioner Balfour and Associate Commissioners Carr, Elkort and Wu.

The Records of the Commission Meeting held on February 2, 1995 were read and approved.

The Secretary submitted for signature the following papers which were signed by the Commissioner and three Associate Commissioners:

1. Contract-Agreement, dated February 16, 1995, with Laidlaw Waste Systems, Inc., for Direct Dumping from the Charles District and the Mystic District, for the period July 1, 1994 through June 30, 1996.

2. Contract No. P92-1628-C4A, dated February 16, 1995, with Northern Tree Service, Inc., for 1995 Parkway Landscape Improvements.

The Secretary then submitted for signature the following papers which were signed by the Commissioner and two Associate Commissioners:

3. Contract-Agreements, dated February 16, 1995, with Winthrop Real Estate Advisors, Reynolds Company, Leo M. Flynn, Peter S. Emerson & Associates, R. M. Bradley & Co., Inc., William E. Coyle, Jr. & Associates, Meredith & Grew, Inc., Casey & Dennis, Eric Reenstierna & Associates, Petersen/LaChance Realty Advisors, and Richard W. Patridge & Associates, for Park Land Acquisition Program FY95 (MDC Open Order No. RP95-0004) - Professional Real Estate Appraisal Services.

Action was taken upon the following matters relating to the Engineering and Construction Division:

4. Report of Messrs. Baratta, Faucher and Jackson, February 7, submitting for approval Project Summary, Work Schedule, Project Justification and requesting authorization to advertise Project No. P95-1770-C1A, for Reconstruction of Riverdale Park Dedham and Toohig Playground, Dorchester.
Total Budget - $263,118.73.
Work to start in Spring and completed by the end of 1995.
Account Nos. 2440-0010 and 2440-8888.
The Commission V O T E D: Approved.
The Commission further V O T E D: authorization to advertise Project No. P95-1770-C1A, for Reconstruction of Riverdale Park Dedham and Toohig Playground, Dorchester.

5. Report of Messrs. Faucher and Higgott, August 4, 1994, submitting for approval and authorization for Commissioner Balfour to execute on behalf of the Commission, Feasibility Cost Sharing Agreement with the U.S. Army Corps of Engineers for the Nantasket Beach Shore Protection and Erosion Control Project - Resanding -

Contract Number P95-1762-S1A.
Time for Performance - one year.
MDC 50% share of cost is $120,000.00.
Account No. 2440-8885.
The Commission V O T E D: Approved.
The Commission further V O T E D: authorization for Commissioner Balfour to execute on behalf of the Commission, Feasibility Cost Sharing Agreement with the U.S. Army Corps of Engineers for the Nantasket Beach Shore Protection and Erosion Control Project - Resanding, Contract Number P95-1762-S1A.

1. Report of Messrs. Faucher and Higgott, February 8, submitting for approval Work Schedule, Project Summary, Project Justification and requesting authorization to advertise Project No. P95-1793-C1A, for Removing and Replacing Shade Shelters on Day Boulevard, South Boston.
Estimated Cost $400,000.00.
Time for Performance - four months.
Account No. 2440-8956.
The Commission V O T E D: Approved.
The Commission further V O T E D: authorization to advertise Project No. P95-1793-C1A, for Removing and Replacing Shade Shelters on Day Boulevard, South Boston.

2. Report of Mr. Faucher and Ms. Pomorska, February 8, submitting for approval Work Schedule, Project Summary, Project Justification and requesting authorization to advertise Project No. P95-1758-C1A, for Construction of Traffic Signals on Ocean Avenue, at the intersection of Beach Street, Revere.
Estimated Cost - $80,000.00.
Time for Performance - eight months.
Account No. 2490-8910.
The Commission V O T E D: Approved.
The Commission further V O T E D: authorization to advertise Project No. P95-1758-C1A, for Construction of Traffic Signals on Ocean Avenue, at the intersection of Beach Street, Revere.

3. Report of Messrs. Faucher, Sacco and DeLuca, February 10, on bids for Critical Pool Repairs to MDC Swimming Pools and Service Buildings. Contract No. P95-1788-C1A.
(Messrs. Faucher, Sacco and DeLuca recommend rejection of the only eligible bidder, Allied Weatherproofing Co., Inc., as the bid was 29% above the Engineer's estimate.
They further recommend ratification of the action of Deputy Director Faucher in re-advertising the project for bids).
The Commission V O T E D: to reject the only eligible bidder, Allied Weatherproofing Co., Inc., as the bid was 29% above the Engineer's estimate.
The Commission further V O T E D: to ratify the action of Deputy Director Faucher in re-advertising the project for bids.

Action was taken upon the following matters relating to the Watershed Management Division:

4. Report of Messrs. McGinn and Robert O'Connor, February 7, on

proposals for the tapping of sugar maple trees located on the Quabbin Reservoir Watershed.
The Commission V O T E D: to accept the only bid received, that of Shattuck Sugar House, of $226.50; allowing 906 taps of 453 sugar maple trees on Sugar Maple Lot #56 - Quabbin Reservoir Watershed.
The Commission further V O T E D: to accept the only bid received, that of Hutchinson Sugar House, of $100.00; allowing 300 taps of 135 sugar maple trees on Sugar Maple Lot #57 - Quabbin Reservoir Watershed.
The Commission further V O T E D: to accept the only bid received, that of Philip Johnson, of $160.00; allowing 525 taps of 317 sugar maple trees on Sugar Maple Lot #58 - Quabbin Reservoir Watershed.
The Commission further V O T E D: to accept the only bid received, that of Philip Johnson, of $280.00; allowing 471 taps of 277 sugar maple trees on Sugar Maple Lot #59 - Quabbin Reservoir Watershed.
The Commission further V O T E D: to accept the only bid received, that of Hamilton Orchards, of $173.00; allowing 323 taps of 205 sugar maple trees on Sugar Maple Lot #60 - Quabbin Reservoir Watershed.
The Commission further V O T E D: to accept the only bid received, that of Hamilton Orchards, of $215.00; allowing 404 taps of 171 sugar maple trees on Sugar Maple Lot #62 - Quabbin Reservoir Watershed.
The Commission further V O T E D: to accept the only bid received, that of Philip Johnson, of $200.00; allowing 491 taps of 202 sugar maple trees on Sugar Maple Lot #63 - Quabbin Reservoir Watershed.

1. Report of Mr. McGinn, January 30, submitting for approval and execution Quabbin Park Cemetery Deed No. Q-1713, conveying S. W. 1/2 of Lot No. 1027, to Mr. Richard Fleurent.
The Commission V O T E D: Approved.
The Secretary then submitted for signature Quabbin Park Cemetery Deed No. Q-1713, dated February 16, 1995, which was signed by the Commissioner and two Associate Commissioners.

Action was taken upon the following Various Matters:

2. Report of Mr. Jewett, February 12, on behalf of the Consultant Selection Committee, recommending selection of Weston and Sampson Engineers, Inc., for Fast Track Sewer System Design, West Boylston and Holden, Contract No. WM95-061-D1A.
Cost not-to-exceed $400,000.00.
Estimated Time for Performance - eight months.
Account No. 2420-1400.
The Commission V O T E D: Approved.

3. Report of Mr. Jewett, February 12, on behalf of the Consultant Selection Committee, recommending selection of Metcalf and Eddy, for Georges Island Seawall Restoration Engineering Services, Contract No. P94-1712-D1A.
Cost not-to-exceed $50,000.00.

Estimated Time for Performance - twelve months.
Account No. 2440-8889.
The Commission V O T E D: Approved.

1. Report of Mr. Jewett, February 1, on behalf of the Commonwealth Designer Selection Board, requesting approval of David P. Handlin and Associates, for Design Services for Captain's House Renovations, South Region Headquarters, Blue Hills Reservation, Milton. MDC Project No. P94-1749-D1A. (Mass. State Project T MDC 9401).
Lump Sum set fee of $22,500.00.
Estimated Time for Performance - Eighteen months.
Account Nos. 2440-7849 and 2440-7894.
The Commission V O T E D: Approved.

Adjourned at 11:00 a.m., to meet on Thursday, February 23, 1995, at 10:00 a.m.

William F. Cusack
Secretary

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Record of the Three Thousand Seven Hundred and Twentieth (3720th) meeting of the Metropolitan District Commission duly called and held at 20 Somerest Street, Boston, Massachusetts, on Thursday, February 23, 1995 at 10:00 a.m.

Present, Commissioner Balfour and Associate Commissioners Carr, Elkort, Settles and Wu.

The Records of the Commission Meeting held on February 9, 1995 were read and approved.
Associate Commissioner Elkort noting that she was not at the Commission Meeting of February 9, 1995, abstained from voting on this matter.

Action was taken upon the following matters relating to the Engineering and Construction Division:

1. Report of Messrs. Faucher and Sacco, February 14, submitting for approval Work Schedule, Project Summary, Project Justification and requesting authorization to advertise Project No. P95-1760-C1A, for Sidewalk/Ramp/Stair Repairs to Longfellow Bridge, Leverett Pedestrian Bridge and Otis Street Pedestrian Bridge in Boston, Cambridge and Somerville.
Estimated Cost - $125,000.00.
Time for Performance - two months.
Account No. 2490-8910.
The Commission V O T E D: Approved.
The Commission further V O T E D: authorization to advertise Project No. P95-1760-C1A, for Sidewalk/Ramp/Stair Repairs to Longfellow Bridge, Leverett Pedestrian Bridge and Otis Street Pedestrian Bridge in Boston, Cambridge and Somerville.

2. Report of Messrs. Faucher and Sacco, February 10, submitting for approval Work Schedule, Project Summary, Project Justification and requesting authorization to advertise Project No. P93-1675-D1A, for Design Services for Rehabilitation of the Boston University Bridge, Boston - Cambridge.
Estimated Design Cost - $650,000.00.
Time for Performance - Design and Contract Document Preparation - ten months.
Construction Services - eighteen months.
Account No. 2490-8916.
The Commission V O T E D: Approved.
The Commission further V O T E D: authorization to advertise Project No. P93-1675-D1A, for Design Services for Rehabilitation of the Boston University Bridge, Boston - Cambridge.

3. Report of Messrs. Faucher and Sacco, February 10, submitting for approval Work Schedule, Project Summary, Project Justification and requesting authorization to advertise Project No. P93-1673-D1A, for Design Services for Rehabilitation of the River Street Bridge, Boston - Cambridge.
Estimated Design Cost - $350,000.00.
Time for Performance - Design and Contract Document Preparation - nine months.
Construction Services - fifteen months.

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Account No. 2490-8916.
The Commission V O T E D: Approved.
The Commission further V O T E D: authorization to advertise Project No. P93-1673-D1A, for Design Services for Rehabilitation of the River Street Bridge, Boston - Cambridge.

1. Report of Messrs. Faucher, Sacco and DeLuca, February 8, on bids for Sandblasting and Painting Everett Pool, Chelsea Pool and Stoneham Wading Pool.
Contract No. P95-1786-C1B.
Account No. 2440-8952.
(Messrs. Faucher, Sacco and DeLuca recommend acceptance of the lowest bid received that of B.S.A. Painting Co., Inc., of $83,340.00).
The Commission V O T E D: to accept the lowest bid received that of B.S.A. Painting Co., Inc., of $83,340.00.

2. Report of Messrs. Faucher and Gordon Graham, February 17, submitting for approval Work Schedule, Project Justification, Project Summary and requesting permission to advertise Project No. P95-1759-C1A, for Removal of Street Sweepings and Contaminated Soils from Central Services Storage Yards, now under DEP Compliance Order.
Estimated Cost - $500,000.00.
Account No. 2490-8910.
The Commission V O T E D: Approved.
The Commission further V O T E D: permission to advertise Project No. P95-1759-C1A, for Removal of Street Sweepings and Contaminated Soils from Central Services Storage Yards, now under DEP Compliance Order.

3. Report of Messrs. Faucher and Abounaja, February 8, on bids for Asbestos Abatement at Various MDC Facilities.
Contract No. P88-1548-C4A.
Account No. 2441-9952.
(Messrs. Faucher and Abounaja recommend acceptance of the lowest bid received, that of SCS Environmental Services, for a multiplier factor of 0.660 - with a total value of no more than $240,000.00).
The Commission V O T E D: to accept the lowest bid received, that of SCS Environmental Services, for a multiplier factor of 0.660 - with a total value of no more than $240,000.00.

4. Report of Messrs. Faucher and Machado, February 17, recommending the following on Contract No. P92-1653-C1A, with USX Corporation (Cyclone Fence Company), for Installation of Closure Gates, Guard Rail and Fences at Various Locations in the Metropolitan District -
(a) That work be accepted as completed as of October 27, 1994.
(b) That Estimate No. 13 (Final), in the amount of $7,976.00, for Suffolk County, and Estimate No. 13 (Final), in the amount of $5,382.70, for Non-Suffolk County, be approved for payment. Total of $13,358.90.
(c) That reserve, in the amount of $9,715.08, for Suffolk County and reserve in the amount of $3,950.73, for Non-Suffolk County, be approved for payment. Total of $13,665.81.
(Basis of Award - $734,920.35)
(Total to Date - $712,538.49)

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(Contract Administration Rating - 3.33)
(EEO Compliance - 4.60)

The Commission V O T E D: that the work of USX Corporation (Cyclone Fence Company), Contractor under Contract No. P92-1653-C1A, be and hereby is accepted as completed as of October 27, 1994.

The Commission further V O T E D: to approve Estimate No. 13 (Final), in the amount of $7,976.00, for Suffolk County, and Estimate No. 13 (Final), in the amount of $5,382.70, for Non-Suffolk County, for payment. Total of $13,358.90.

The Commission further V O T E D: to approve release of reserve, in the amount of $9,715.08, for Suffolk County and reserve in the amount of $3,950.73, for Non-Suffolk County, for payment. Total of $13,665.81.

1. Report of Messrs. Faucher and Machado, February 16, submitting for approval Work Schedule, Project Summary, Project Justification and requesting permission to advertise Project No. P95-1802-C1A, for Walkway Improvements along the MDC Harbor Beaches Between Winthrop, Boston and Quincy.
Estimated Cost - $315,000.00.
Time for Performance - Three months.
Account No. 2440-8956.
The Commission V O T E D: Approved.
The Commission further V O T E D: permission to advertise Project No. P95-1802-C1A, for Walkway Improvements along the MDC Harbor Beaches Between Winthrop, Boston and Quincy.

Action was taken upon the following matters relating to the Watershed Management Division:

2. Report of Mr. McGinn, February 16, submitting for approval and execution Quabbin Park Cemetery Deed No. Q-1714, conveying Lot No. 1701, to Mr. A. Hickland.
The Commission V O T E D: Approved.
The Secretary then submitted for signature Quabbin Park Cemetery Deed No. Q-1714, dated February 23, 1995, which was signed by the Commissioner and two Associate Commissioners.

3. Report of Mr. McGinn, February 16, submitting for approval and execution Quabbin Park Cemetery Deed No. Q-1711, conveying East 1/2 of Lot No. 1256, to Mr. Douglas M. Williams.
The Commission V O T E D: Approved.
The Secretary then submitted for signature Quabbin Park Cemetery Deed No. Q-1711, dated February 23, 1995, which was signed by the Commissioner and two Associate Commissioners.

Adjourned at 11:05 a.m., to meet on Thursday, March 2, 1995, at 10:00 a.m.

William F. Cusick
Secretary

Record of the Three Thousand Seven Hundred and Twenty First (3721st) meeting of the Metropolitan District Commission duly called and held at 20 Somerest Street, Boston, Massachusetts, on Thursday, March 9, 1995 at 10:00 a.m.

Present, Commissioner Balfour and Associate Commissioners Carr, and Settles.

The Records of the Commission Meeting held on February 16, 1995 were read and approved.

Action was taken upon the following matters relating to the Engineering and Construction Division:

1. Report of Messrs. Faucher and Abounaja, February 23, recommending approval of Alteration No. 2, a credit to the Commission of $876.00, under Item No. 014-010, Communication Accessories, on Contract No. P90-1574-C3A, with Zenone, Inc., for Replacement, Including Disposal of Existing Gasoline, Diesel Fuel Tanks and Appurtenances at Various MDC Locations.
The Commission V O T E D: to approve Alteration No. 2, a credit to the Commission of $876.00, under Item No. 014-010, Communication Accessories, on Contract No. P90-1574-C3A, as recommended by Messrs. Faucher and Abounaja in their report of February 23, 1995.

2. Report of Messrs. Faucher and Abounaja, January 30, recommending the following on Contract No. P90-1574-C3A, with Zenone, Inc., for Replacement, Including Disposal of Existing Gasoline and Diesel Fuel Tanks and Appurtenances at Various MDC Locations -
(a) That work be accepted as completed as of December 31, 1994.
(b) That Estimate No. 13 (Final), in the amount of $3,926.54, be approved for payment.
(c) That reserve, in the amount of $22,946.38, be approved for payment.
(Basis of Award - $1,086,977.53)
(Amount to Date - $1,158,927.69)
(Contract Administration Rating - 4.67)
(EEO Compliance - 4.00)
The Commission V O T E D: that the work of Zenone, Inc., Contractor under Contract No. P90-1574-C3A, be and hereby is accepted as completed as of December 31, 1994.
The Commission further V O T E D: to approve Estimate No. 13 (Final), in the amount of $3,926.54, for payment.
The Commission further V O T E D: to approve release of reserve, in the amount of $22,946.38, for payment.

3. Report of Messrs. Faucher and Traficante, February 27, requesting an increase in the upset limit from $1,000.00, as approved by the Commission on October 20, 1994, to $1,825.00, due to an increase in project scope, on Contract No. P94-1748-X1A, for Lead Based Paint Testing Services at 12 Brainerd Street, Hyde Park, and to award the Contract to ATC Environmental Services (ATC).
Project is to be completed by June 30, 1995.
Account No. 2410-7872.
The Commission V O T E D: to approve an increase in the upset

limit from $1,000.00, as approved by the Commission on October 20, 1994, to $1,825.00, due to an increase in project scope, on Contract No. P94-1748-X1A, for Lead Based Paint Testing Services at 12 Brainerd Street, Hyde Park.
The Commission further V O T E D: to award Contract No. P94-1748-X1A, to ATC Environmental Services (ATC), as recommended by Messrs. Faucher and Traficante in their report of February 27, 1995.

1. Report of Messrs. Faucher and Brooks, February 27, recommending the following on Contract No. P85-1342-C1A, with C. J. Mabardy, Inc., for Construction of Riverwalk Park, Waltham -
(a) Approval of Extra Work Order No. 8, in the amount of $7,605.00 and ratification of the action of the Division taken to complete the work of Extra Work Order No. 8, removal of illegally deposited debris. At no increase in Contract cost as funds are available under Item Nos. 4-010 and 8-010.
(b) Approval of an exchange of releases with C. J. Mabardy and to authorize the Commissioner to sign the release, which will include payment as follows -
Estimate No. 12 (Final) in the amount of $23,780.47. Retainage in the amount of $20,374.95. Extra Work Order No. 8 in the amount of $7,605.00.
(c) That work be accepted as completed as of October 30, 1994.
(Basis of Award - $319,000.00)
(Total to Date - $415,104.17)
(Contract Administration Rating - 2.00)
(EEO Compliance - 2.20)
The Commission V O T E D: to approve Extra Work Order No. 8, in the amount of $7,605.00 and ratify the action of the Division taken to complete the work of Extra Work Order No. 8 for removal of illegally deposited debris.
The Commission further V O T E D: to approve an exchange of releases with C. J. Mabardy and to authorize the Commissioner to sign the release, which will include payments as follows - Estimate No. 12 (Final) in the amount of $23,780.47. Retainage in the amount of $20,374.95. Extra Work Order No. 8 in the amount of $7,605.00.
The Commission further V O T E D: that the work of C. J. Mabardy, Inc., Contractor under Contract No. P85-1342-C1A, for Construction of Riverwalk Park, Waltham, be and hereby is accepted as completed as of October 30, 1994.

2. Report of Messrs. Faucher and Haider, March 3, submitting for approval Project Summary, Project Work Schedule, Project Justification and requesting authorization to advertise Project No. P95-1778-C1A, for 10" Water Line Installation at Blue Hill Ski Slope, Canton.
Estimated Cost - $150,000.00.
Time for Performance - 60 days.
Account No. 2440-8950.
The Commission V O T E D: Approved.

The Commission further V O T E D: authorization to advertise Project No. P95-1778-C1A, for 10" Water Line Installation at Blue Hill Ski Slope, Canton.

1. Report of Messrs. Faucher and Kirwin, February 7, recommending the following on Contract No. P92-1633-M1A, with Tri-State Signal, Inc., for Servicing Traffic Signal and Control Systems, Blue Hills and Old Colony Districts -
(a) That work be accepted as completed as of August 31, 1994.
(b) That Estimate No. 30F (Final), in the amount of $32,883.62, be approved for payment.
(c) That reserve, in the amount of $2,415.71, be approved for payment.
(Basis of Award - $464,215.00)
(Amount to Date - $559,200.54)
(Contract Administration Rating - 3.50)
(EEO Compliance - 3.25)
The Commission V O T E D: that the work of Tri-State Signal, Inc., Contractor under Contract No. P92-1633-M1A, be and hereby is accepted as completed as of August 31, 1994.
The Commission further V O T E D: to approve Estimate No. 30F (Final), in the amount of $32,883.62, for payment.
The Commission further V O T E D: to approve release of reserve, in the amount of $2,415.71, for payment.

2. Report of Messrs. Faucher and Lenhardt, February 28, recommending approval of an Amendment to Contract-Agreement No. P84-1276-D3A, with Seelye, Stevenson, Value and Knecht, for Professional Engineering Services for Bridges, Parkways and Other Commission Facilities, which extends completion date from August 31, 1995 to August 31, 1996.
(At no increase in Contract cost).
The Commission V O T E D: Approved.

3. Report of Messrs. Faucher and Jackson, February 15, submitting for approval Project Summary, Work Schedule and Project Justification and requesting permission to advertise Project No. P95-1797-C1A, for Planting Along Boston Harbor Beaches.
Estimated Cost - $300,000.00.
Time of Performance - 9 months.
Account No. 2440-8956.
The Commission V O T E D: Approved.
The Commission further V O T E D: permission to advertise Project No. P95-1797-C1A, for Planting Along Boston Harbor Beaches.

4. Report of Messrs. Faucher and Orfant, March 6, submitting for approval Work Schedule, Project Justification, Project Summary and requesting authorization to advertise for consultant services on Contract No. P95-1804-S1A, for Dorchester Shores Beach Restoration Program.
Estimated Cost - $350,000.00.
Time for Performance - twenty four months.
Account No. 2440-8956.
The Commission V O T E D: Approved.
The Commission further V O T E D: authorization to advertise for

consultant services on Contract No. P95-1804-S1A, for Dorchester Shores Beach Restoration Program.

Action was taken upon the following matter relating to the Watershed Management Division:

1. Report of Messrs. McGinn and Robert O'Connor, March 3, recommending that the Commission rescind its vote of September 2, 1993, conveying Lot No. 1140 to George E. and Sylvia B. Dion. Messrs. McGinn and Robert O'Connor further recommend that the Commission approve and execute Quabbin Park Cemetery Deed conveying Lot No. 1901, to George E. and Sylvia B. Dion and apply the $150.00 cost of Lot No. 1140 to the cost of Lot No. 1901.
The Commission V O T E D: to rescind its vote of September 2, 1993, conveying Quabbin Park Cemetery Lot No. 1140 to George E. and Sylvia B. Dion.
The Commission further V O T E D: to approve Quabbin Park Cemetery conveying Lot No. 1901, to George E. and Sylvia B. Dion and apply the $150.00 cost of Lot No. 1140 to the cost of Lot No. 1901.
The Secretary then submitted for signature Quabbin Park Cemetery Lot No. 1901, dated March 9, 1995, which was signed by the Commissioner and two Associate Commissioners.

Action was taken upon the following matter relating to the Recreational Facilities and Programs Division:

2. Report of Ms. Connolly, March 3, submitting for approval and execution Management Agreement with Community Boating, Inc., for Operation of Public Sailing and Boating Program on the Charles River, Boston.
The Management Agreement shall be for a term of five years, commencing January 1, 1995 and terminating on December 31, 1999, unless sooner terminated.
The Commission V O T E D: Approved.
The Secretary then submitted for signature Management Agreement, dated March 9, 1995, with Community Boating, Inc., for Operation of Public Sailing and Boating Program on the Charles River, Boston, which was signed by the Commissioner and two Associate Commissioners.

Action was taken upon the following Various Matters:

3. Report of Mrs. Dyett and Mr. Brown, February 13, recommending approval and execution of a Contract-Agreement with Greater Boston YMCA, Dorchester Family Branch, for Recruitment Evaluation, Screening, Training and Certification of Young Adults in Roxbury, Dorchester, Mattapan, the South End, Jamaica Plain, Hyde Park and Allston/Brighton, to prepare them to qualify for seasonal lifeguard positions with the MDC.
Time for Performance - will end on June 30, 1995.
Cost not-to-exceed $11,725.00.
Account No. 2440-0010.
The Commission V O T E D: Approved.
The Secretary then submitted for signature Contract-Agreement, dated March 9,1995, with Greater Boston YMCA, which was signed by the Commissioner and two Associate Commissioners.

1. Report of Mr. Jewett, March 6, on behalf of the Consultant Selection Committee, recommending selection of A. G. Lichtenstein & Associates, Inc., for Remedial Design for Public Safety Considerations, Beaman Street Bridge, West Boylston, Contract No. WM94-003-D1A.
Estimated Fee - $40,000.00 subject to final negotiations.
Account No. 2420-7881.
The Commission V O T E D: Approved.

2. Report of Mr. Jewett, March 6, recommending selection of Clean Harbors Environmental Services, Inc., for Wachusett Watershed Pilot Household Hazardous Waste Collection.
Upset Contract Cost Limit - $50,000.00 - with a unit price of $43.00 per household.
Estimated time for Performance - four months.
Account No. 2420-1400.
The Commission V O T E D: Approved.

3. Report of the Concession Selection Committee, March 6, recommending award of the Food Service Concession at Ponkapoag Golf Course to Rosie's Restaurant of Wollaston, Inc., for a three year period. Compensation to the Commission will be 17% of Gross Revenues or $34,000.00, per year, which ever is greater.
The Commission V O T E D: Approved as recommended by the Concession Selection Committee in their report of March 6, 1995.

4. Report of Miss Overton, March 8, requesting approval and authorization for Commissioner Balfour to execute, on behalf of the Commission, a Three Year Grant Agreement with the Town of Winthrop, for Implementation of Improvements to Yirrell and Donovan's Town Beaches.
Amount of Grant - $650,000.00.
Account No. 2440-8956.
The Commission V O T E D: Approved.
The Secretary then submitted for signature Three Year Grant Agreement, dated March 9, 1995, with the Town of Winthrop, for Implementation of Improvements to Yirrell and Donovan's Town Beaches, which was signed by the Commissioner and two Associate Commissioners.

5. Report of Miss Overton, March 8, requesting approval and permission to advertise Project for Flag Fabrication Services, for the Production of Approximately 350 Banners and 60 Water Quality Flags, in conjunction with the Back to the Beaches Plan.
Estimated Cost - $100,000.00.
Account No. 2440-8956.
The Commission V O T E D: Approved.
The Commission further V O T E D: permission to advertise Project for Flag Fabrication Services, for the Production of Approximately 350 Banners and 60 Water Quality Flags, in conjunction with the Back to the Beaches Plan.

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The following matter was placed on the agenda for the information of the Commission:

The following schedules were approved for payment by the Commissioner during the period from December 1, 1994 to December 31, 1994.

Expenditures $2,877,138.42

Adjourned at 11:30 a.m., to meet on Thursday, March 23, 1995, at 9:00 a.m.

William F. Crosby
Secretary

Record of the Three Thousand Seven Hundred and Twenty Second (3722nd) meeting of the Metropolitan District Commission duly called and held at 20 Somerest Street, Boston, Massachusetts, on Thursday, March 23, 1995 at 9:00 a.m.

Present, Commissioner Balfour and Associate Commissioners Elkort, Settles and Wu.

The Records of the Commission Meeting held on February 23, 1995 were read and approved.

The Secretary submitted for signature the following paper which was signed by the Commissioner and three Associate Commissioners:

1. Contract No. P95-1791-C1A, dated March 23, 1995, with F. M. Emergency Generator, Inc., for Emergency Contract to Remove and Replace a 250 KW Generator at the Amelia Earhart Dam, Somerville.

2. Contract No. P95-1786-C1B, dated March 23, 1995, with B.S.A. Painting Co., Inc., for Sandblasting and Painting Everett Pool, Chelsea Pool and Stoneham Wading Pool.

3. Contract No. P95-1779-C1A, dated March 23, 1995, with Raccuia Brothers Plumbing, for Emergency Construction of New Above Ground Chamber at Helen Street, Pemberton Pier, in the Town of Hull, Massachusetts.

Action was taken upon the following matters relating to the Engineering and Construction Division:

4. Report of Messrs. Faucher and Mayhew, March 14, submitting for approval Work Schedule, Project Summary, Project Justification and requesting permission to advertise Project No. P95-1805-C1A, for Installation of New Dasherboards at the William F. Devine Ice Skating Rink, Dorchester, Massachusetts.
Estimated Cost - $120,000.00.
Time for Performance - 2 1/2 months.
Account Nos. 2440-8999 and 2440-8952.
The Commission V O T E D: Approved.
The Commission further V O T E D: Permission to advertise.

5. Report of Messrs. Faucher, Sacco and DeLuca, March 15, on bids for Pool Filtration System, Somerville (Dilboy) Pool, Contract No. P95-1787-C2B.
Account No. 2440-8952.
(Messrs. Faucher, Sacco and DeLuca recommend acceptance of the lowest bid received, that of Allied Weatherproofing Co., Inc., of $160,245.00).
The Commission V O T E D: to accept the lowest bid received, that of Allied Weatherproofing Co., Inc., of $160,245.00.

6. Report of Messrs. Faucher, Sacco and DeLuca, March 15, on bids for Pool Filtration System, Boston (Lee) Wading Pool, Contract No. P95-1787-C1B.
Account No. 2440-8952.
(Messrs. Faucher, Sacco and DeLuca recommend acceptance of the

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lowest bid received, that of Allied Weatherproofing Co., Inc., of $70,000.00).
The Commission V O T E D: to accept the lowest bid received, that of Allied Weatherproofing Co., Inc., of $70,000.00.

1. Report of Messrs. Faucher and Haider, March 7, recommending the following on Contract No. P94-1751-C1A, with P. J. Kennedy & Sons, Inc., for Gas Fired Infrared Heating Systems at the Ponkapoag Golf Course, Canton, Massachusetts -
(a) That work be accepted as completed as of February 18, 1995.
(b) That Estimate No. 1F (Final), in the amount of $14,563.50, be approved for payment.
(c) That reserve, in the amount of $766.50, be approved for payment.
(Basis of Award - $15,330.00)
(Total to Date - $15,330.00)
(Contract Administration Rating - 5.00)
(EEO Compliance - 1.00)
The Commission V O T E D: that the work of P. J. Kennedy & Sons, Inc., Contractor under Contract No. P94-1751-C1A, be and hereby is accepted as completed as of February 18, 1995.
The Commission further V O T E D: to approve Estimate No. 1F (Final), in the amount of $14,563.50, for payment.
The Commission further V O T E D: to approve release of reserve, in the amount of $766.50, for payment.

2. Report of Messrs. Faucher and Thurlow, January 30, recommending the following on Contract No. P92-1628-C3A, with Popico, Inc., d/b/a/ Holden Farms Nursery, for Parkways Landscape Improvements -
(a) That work be accepted as completed as of December 31, 1994.
(b) That Estimate No. 7F (Final), in the amount of $21,299.00, be approved for payment.
(c) That reserve, in the amount of $13,947.00, be approved for payment.
(Basis of Award - $281,750.00)
(Total to Date - $278,940.00)
(Contract Administration Rating - 3.66)
(EEO Compliance - 2.80)
The Commission V O T E D: that the work of Popico, Inc., d/b/a Holden Farms Nursery, Contractor under Contract No. P92-1628-C3A, be and hereby is accepted as completed as of December 31, 1994.
The Commission further V O T E D: to approve Estimate No. 7F (Final), in the amount of $21,299.00, for payment.
The Commission further V O T E D: to approve release of reserve, in the amount of $13,947.00, for payment.

3. Report of Messrs. Faucher and Sacco, March 13, recommending approval of the following on Contract No. P82-1128-C2A, with John J. Paonessa Co., Inc., for Rehabilitation of Mystic Valley Parkway, Winchester -

Extra Work Orders

Extra Work Order No. 1	**$ 5,759.58**
Special Drainage Manhole Inverts	
Extra Work Order No. 2	**$12,087.28**
Special Cast-In-Place Drain Manhole	
Total Cost of Extra Work Orders -	**$17,846.86**

Revisions in Quantities

Item No. 005-024	**$10,500.00**
Manhole 8' Dia. < 9' Deep	
Item No. 005-029	**$ 7,500.00**
Manhole 8' Dia. > 9' Deep	
Item No. 005-060	**$ 900.00**
Manhole Frame and Cover	
Item No. 006-037	**$13,950.00**
48" Reinforced Concrete Pipe	
Total Cost of Revision in Quantities -	**$32,850.00**
Grand Total =	**$50,696.86**

(No additional funding required due to significant quantity underruns in other items).
The Commission V O T E D: to approve Extra Work Order No. 1, in the amount of $5,759.58, for payment.
The Commission further V O T E D: to approve Extra Work Order No. 2, in the amount of $12,087.28, for payment.
The Commission further V O T E D: to approve the Revisions in Quantities, as recommended by Messrs. Faucher and Sacco, in their report of March 13, 1995.

1. Report of Messrs. Faucher and DiPietro, February 28, recommending the following on Contract-Agreement No. P78-0564-X2A, with Mr. John R. Elwood, for Final Report Lower Mystic Lake Saltwater Removal Project -
(a) That work be accepted as completed as of August 31, 1994.
(b) That Final Invoice No. 3, in the amount of $882.69, be approved for payment.
(Basis of Award - $4,500.00)
(Total To Date - $4,482.69)
(Contract Administration Rating - 9.00 - with 10.00 being excellent)
(EEO Compliance - N/A)
The Commission V O T E D: that the work of Mr. John R. Elwood, Contractor under Contract No. P78-0564-X2A, be and hereby is accepted as completed as of August 31, 1995.
The Commission further V O T E D: to approve Final Invoice No. 3, in the amount of $882.69, for payment.

2. Report of Messrs. Faucher and Lenhardt, March 8, recommending approval of Amendment No. 8 to Contract-Agreement No. P77-0000-D1D, with Parsons Brinckerhoff Quade & Douglas, Inc., for Alewife Brook Parkway Bridge, Cambridge, Massachusetts, which will modify the labor fee ranges of the Halvorson Company (Sub-consultant), and extend the Contract-Agreement from August 30, 1995 to August 30, 1996, in order to maintain engineering services during the construction phase.
(At no additional cost to the Commission).
The Commission V O T E D: Approved.

3. Report of Messrs. Faucher and Carrigan, March 16, on bids for Reconstruction/Rehabilitation of Lynn Shore Drive, Lynn Beach, Kings Beach Seawall Rehabilitation, Contract No. P85-1341-C1A. Account Nos. 2490-8910 and 2440-9848.
(Messrs. Faucher and Carrigan recommend acceptance of the lowest

bid received, that of Paonessa Co., Inc., of $9,987,076.00).
The Commission V O T E D: to accept the lowest bid received, that of Paonessa Co., Inc., of $9,987,076.00.

1. Report of Messrs. Faucher, DiPietro and Ivas, March 20, submitting for approval Work Schedule, Project Justification and Sole Source Justification, for Project No. P95-1798-M1A, Control of Nuisance Vegetation, Upper Mystic Lake, for an upset limit of $25,000.00.
Messrs. Faucher, Dipietro and Ivas further request that the Commission award the project to Aquatic Control Technology, Inc., as the sole source service provider, and authorize contract negotiations.
Time for Performance - one season.
Account No. 2440-7957.
The Commission V O T E D: Approved.
The Commission further V O T E D: to award the project to Aquatic Control Technology, Inc., as the sole source service provider, and authorize contract negotiations.

2. Report of Messrs. Faucher and Haider, March 21, on bids for Removal of Three MDC Facility Roofs and Replacing with Built-Up Cold Process Roof Systems. Contract No. P95-1795-C1A.
(Messrs. Faucher and Haider recommend acceptance of the lowest corrected bid received, that of Tar-Vel Roofing, Inc., of $358,825.00).
The Commission V O T E D: to accept the lowest corrected bid received, that of Tar-Vel Roofing, Inc., of $358,825.00.

3. Report of Mr. Guidoboni, March 16, on petition of Boston Gas Company for Grant of Location for installation of approximately 2,384' of 16" gas main and related facilities for the distribution of gas in the Fenway area of the City of Boston.
The Commission ORDERED, that on petition of Boston Gas Company, dated January 12, 1994, for location, shown on Plan of Boston Gas Company dated December 15, 1994, entitled "Proposed Location of 16" Gas Main in Fenway - Roxbury" to place in the City of Boston namely, the Fenway a distance of approximately 2,348 feet, from the intersection with Brookline Avenue to the intersection with Louis Prang Avenue, for the installation and operation of 16-inch gas main and related facilities, to be used for the distribution of gas, said location having been found by order of the Department of Public Utilities to be required by public convenience and necessity, said plan and petition being on file in the office of the Commission, a public hearing on said petition having been given by this Commission on Thursday, March 23, 1995 at 10:00 A.M., in the Marilyn Morrison Commission Meeting Room of the Commission in Boston, of which hearing due notice was given to all persons interested of the time and place by publishing a copy of said petition and the order of notice issued thereon by this Commission in newspapers published in which the location petitioned for would lie, the first publication having been made at least fourteen days prior to the date of said hearing, and it appearing, in the opinion, of this Commission, that public convenience and necessity so require,

said Boston Gas Company is hereby granted a location for approximately 2,348 feet, from the intersection with Brookline Avenue to the intersection with Louis Prang Avenue, for the installation and operation of 16-inch gas main and related facilities, to be used for the distribution of gas, in the City of Boston, namely the Fenway, to the extent and upon the terms, conditions, and obligations hereinafter specified, the same being such as the public necessity and a due regard for the rights of the Commonwealth require, namely: -

1. Boston Gas Company shall conform to all provisions of law applicable to the exercise of their rights and performance of the work under this grant and to the rules and regulations of the Metropolitan District Commission.
2. Boston Gas Company shall do the work of installing said 16-inch gas main and related facilities therein, the location hereby granted subject to the approval of the Director of Permits for the Commission, as to time, manner, and location, and in all other respects.
3. Boston Gas Company shall indemnify and save harmless the Commonwealth of Massachusetts and the Metropolitan District Commission from any damage it or they may sustain or be required to pay arising out of the exercise by said Company or any of its employees in connection with the work done hereunder.
4. Boston Gas Company shall protect and maintain all trees, drainage, or water pipes, and all appurtenances or structures either above or below the surface of the ground over which this location lies, during and upon completion of the work shall restore the surface of the ground to a condition satisfactory to said Director of Permits and Acting Director of the Engineering and Construction Division.
5. Boston Gas Company shall take all possible measures during construction to reduce the impact on the area.
6. Boston Gas Company shall place and maintain proper barriers at all times and from the beginning of twilight through the whole of every night sufficient lights to protect the public from injury or damage during the progress of the work under this grant or during repairs upon said conduit with necessary wires, cables and related apparatus therein, may hereafter become necessary.
7. Boston Gas Company, as mitigation, will follow specifications for cold planing and road resurfacing requested by the MDC Engineering and Construction Division and approved by the MDC Office of Planning.
8. No work shall be done under this grant without first obtaining a permit therefor from said Director of Permits, and subject to conditions imposed by him.

Action was taken upon the following Various Matters:

1. Report of Mr. Jewett, March 16, recommending approval of and authorization for the Commissioner to execute, on behalf of the Commission, the following nine (9) Contracts for Park Land Acquisition Program FY95 - (MDC Open Order Contract No. RP95-0005) - for Professional Real Estate Title Examination

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Services Middlesex, Suffolk, Norfolk, Essex and Plymouth Counties. Completion date for all contracts is June 30, 1995. Account No. 2441-9886.

NAME	VALUE	PARCELS
Brundrett & Moutinho BayBank Tower, Suite 904 1500 Main Street P. O. Box 15327 Springfield, MA 01115-5327	$ 2,200.00	2
Cohan & Associates 175 Derby Street, Unit 7 P. O. Box 409 Hingham, MA 02043	$ 6,925.00	8
Kelley, Donovan, Goodwin & Kelley, P.C. 11 Beacon Street, Suite 615 Boston, MA 02108	$ 2,520.00	4
Lane & Altman 101 Federal Street Boston, MA 02110	$11,950.00	4
Law Offices of Peter E. Flynn, P.C. 78 Essex Street Saugus, MA 01906	$ 3,450.00	6
McKenzie & Edwards, P.C. U.S. Trust Building 141 Portland Street Cambridge, MA 02139-1937	$ 4,375.00	6
George S. Norton, Esquire 140 Windermere Road Auburndale, MA 02166	$14,070.00	5
Perlman, Rubin & Stein, P.C. 25 Braintree Hill Office Park/S-204 P. O. Box 850983 Braintree, MA 02185-0983	$ 7,100.00	6
Tamagini & Bloomenthal, P.C. 935 Main Street Waltham, MA 02154-7417	$ 7,100.00	6

The Commission V O T E D: Approved.
The Commission further V O T E D: authorization for the Commissioner to execute, on behalf of the Commission, the following nine (9) Contracts for Park Land Acquisition Program FY95 - (MDC Open Order Contract No. RP95-0005) - for Professional Real Estate Title Examination Services Middlesex, Suffolk, Norfolk, Essex and Plymouth Counties.

1. Report of Mr. Jewett, March 20, recommending approval of and authorization for the Commissioner to execute, on behalf of the Commission, the following four (4) Contracts for Surveys for Watershed Land Acquisition Program FY95 (MDC Open Order Contract No. RP95-0003) - for Land Survey Services - Worcester and Franklin Counties.
Time for Performance - 30 days.
Account No. 2421-9936.

NAME	VALUE	PARCELS
Berry Engineering, Inc. 131 West Road Petersham, MA 01366-0116	$3,225.00	2
Almer Huntley, Jr. & Associates, Inc. 30 Industrial Drive East P.O. Box 568 Northampton, MA 01601	$1,550.00	1
GLM Engineering Consultants, Inc. 1750 Washington Street Holliston, MA 01746	$1,600.00	1
Thompson-Liston Associates, Inc. 51 Main Street P.O. Box 423 Boylston, MA 01505	$5,300.00	2

The Commission V O T E D: Approved.
The Commission further V O T E D: authorization for the Commissioner to execute, on behalf of the Commission, the following four (4) Contracts for Surveys for Watershed Land Acquisition Program FY95 (MDC Open Order Contract No. RP95-0003) - for Land Survey Services - Worcester and Franklin Counties.

2. Report of Mr. Wright, March 20, submitting for execution Contract-Agreement No. PL93-026-D1A, with The Berkshire Group, Inc., for Development of the Blair Pond Restoration Plan, as approved by the Commission at its meeting of September 22, 1994. Mr. Wright requests that the estimated cost of $40,000.00, as approved by the Commission, be increased to $50,710.00.
Account No. 2440-8886.
The Secretary submitted for signature Contract-Agreement No. PL93-026-D1A, with The Berkshire Group, Inc., which was signed by the Commissioner and three Associate Commissioners.
The Commission further V O T E D: to approve the request of Mr. Wright and increase the estimated cost of the Contract-Agreement from $40,000.00 to $50,710.00.

3. Report of Messrs. Kerins and Ippolito, March 10, requesting approval of a Student Internship Program with Shawsheen Vocational Technical High School in Billerica, for six (6) students to work alternate weeks through the end of the school year for the Reconstruction and Rehabilitation Division.
Cost not-to-exceed - $20,000.00. Account No. 2440-0010-CC.
The Commission V O T E D: Approved.

Action was taken upon the following matters relating to the Office of Real Property:

1. Report of Mr. Gray, March 21, recommending that the Commission adopt an Order of Taking for acquisition of approximately 11.1 acres of land owned by Paul Flagg, et ux, located in the Town of Hubbardston, Massachusetts, and to approve an award of damages in the amount of $52,000.00, together with such damages and costs as required under General Laws, Chapter 79, Sections 6, 12, 39 and 44A. Account No. 2420-8936.
The Commission V O T E D: to adopt an Order of Taking for acquisition of approximately 11.1 acres of land owned by Paul Flagg, et ux, located in the Town of Hubbardston, Massachusetts.

ORDER OF TAKING
COMMONWEALTH OF MASSACHUSETTS
METROPOLITAN DISTRICT COMMISSION

Boston, March 23, 1995.

ORDERED: That the Metropolitan District Commission by virtue of the power and authority conferred upon it by Chapter 564 of the Acts of 1987, Chapter 36 of the Acts of 1992, and Section 117 of Chapter 92 of the General Laws, and acts in amendment thereof or in addition thereto and every other power and authority hereto enabling, for the purposes of said acts and provisions, does hereby order the taking of and does hereby take in fee for watershed preservation, protection and operation purposes, under the provisions of Chapter 79 of the General Laws, in the name and behalf of the Commonwealth of Massachusetts, the following described land situated in the Town of Hubbardston in the County of Worcester and Commonwealth of Massachusetts, namely:

A certain parcel of land lying off the northerly side of Brigham Street in said Hubbardston, more particularly bounded and described as follows:

BEGINNING at the southwesterly corner of the property at land of the Commonwealth and land now or formerly of Tauno H. Aalto;

THENCE N. 04° 23′ 39" W. a distance of 582.12 feet to a point;

THENCE northeasterly by the easterly side of a road or cart path, a distance of 1160 feet, more or less, to a point on the southwesterly side of another parcel of Commonwealth land, the last two courses being by land, now or formerly of Aalto;

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THENCE N. 80° 27′ 27" E., a distance of 92.94 feet to a stone bound found at a corner;

THENCE N. 16° 10′ 08" E., a distance of 400.94 feet to another corner;

THENCE N. 42° 15′ 51" W., a distance of 887.25 feet to an angular corner at land, formerly of Great Farm Limited Partnership, now of the Commonwealth, the last three courses being by land formerly of George Jacques now of the Commonwealth;

THENCE N. 62° 19′ 27" E., a distance of 650.17 feet to a point at land, now or formerly, of Herbert H. Lundquist, said point being on the high water mark of the former Marean Mill Pond, this course is by land formerly of the aforementioned Great Farm Ltd. Partnership;

THENCE southerly by the high water mark of the former mill pond a distance of 580 feet, more or less, to a drill hole set in the face of the easterly end of the Marean Mill Pond Dam, near the place where a yellow birch tree once stood;

THENCE S. 71° 49′ 17" E. a distance of 41.42 feet to a pile of stones at or near a broken gravel bank;

THENCE S. 03° 42′ 37" E. by the broken gravel bank a distance of 82.86 feet to a point at a stake and stones;

THENCE S. 67° 49′ 58" E. a distance of 24 feet, more or less, to a point on the center line of Marean Mill Pond Brook, so-called;

THENCE by the brook downstream and generally southerly a distance of 217 feet, more or less, to a point at land, now or formerly, of E. Ann Bigelow, the last five courses being by land, now or formerly, of the said Lundquist;

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THENCE S. 63° 00′ 54" W., a distance of 155 feet, more or less, to a corner at a point on the Old School House Lot line at a corner;

THENCE by the said Lot line S. 28° 16′ 29" E. a distance of 90.15 feet to a point on the brook;

THENCE by the west side of the brook southerly a distance of 1300 feet, more or less, to a pile of stones;

THENCE S. 41° 28′ 36" E., a distance of 107.10 feet to a drill hole set at or near the end of a stone wall;

THENCE by the wall S. 36° 44′ 25" E., a distance of 235.27 feet to another drill hole set;

THENCE still by the wall S. 37° 36′ 40" E. a distance of 254.44 feet to a drill hole found at a corner of lands, now or formerly, of Gladys L. Hakkila, now or formerly, of E.D. and L. Newcomb and, now or formerly, of the aforementioned Bigelow, said corner being the southeasterly corner of the property being described, the last six courses being by land now or formerly of the said Bigelow;

THENCE by land now or formerly of Newcomb and lands reportedly of the Commonwealth S. 58° 36′ 00" W., a distance of 462 feet to a point;

THENCE S. 05° 42′ 17" W., by the same land a distance of 198.00 feet to a point at land, formerly of the Hubbardston Chair Company, now of the Commonwealth;

THENCE by the same land S. 57° 02′ 37" W. a distance of 54.12 feet to a point at land, now or formerly, of Aalto, being the first mentioned point and place of beginning.

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Containing approximately 11.1 acres more or less as shown on a plan entitled "Commonwealth of Massachusetts, Metropolitan District Commission, Division of Watershed Management, Hubbardston, Worcester County) Mass., Land Taking Plan for Watershed Protection", prepared by Beals and Thomas Inc., dated June 23, 1993, which plan shall be recorded with Worcester District Registry of Deeds, at a later date, and made a part of this order.

Meaning and intending to take hereby the above premises, howsoever the same may be bounded and described, and being the same premises described in a deed from Mabel M. Hamil to Paul Flagg and Susan C. M. Flagg, dated April 2, 1984, and recorded with the Worcester District Registry of Deeds in Book 8138, Page 253.

The above described premises is represented upon Hubbardston Assessors Tax Maps as Lots 2 and 16 on Plan 8.

AND IN LIKE MANNER, for the same purposes and by virtue of the same powers, the said Metropolitan District Commission does hereby order the taking of and does hereby take in the name and for the benefit of the Commonwealth of Massachusetts, for the purposes of said acts and provisions, all trees on said land and structures affixed to said land, with the exception of the poles, wires, cables, conduits, pipes and their appurtenances, for the conveyance of water, sewage, steam, gas and electricity, and for the transmission of telephone and telegraph communications and data or signals by electrical or electronic or electromagnetic means of any kind, now lawfully in or upon said land, and excluding all easements of record on, over, under, across and through said land.

The Commission awards damages sustained by the supposed owners of the land hereinabove mentioned by reason of said taking, in the following sum:

OWNERS	AWARD
Paul Flagg and Susan C. M. Flagg	$ 52,000.00

The Commission further V O T E D: to approve an award of damages in the amount of $52,000.00, together with such damages and costs as required under General Laws, Chapter 79, Sections 6, 12, 39 and 44A.

1. Report of Mr. Gray, March 21, recommending that the Commission adopt an Order of Taking for acquisition of approximately 43.8 acres of land owned by Herbert H. Lundquist, located in the Town of Hubbardston, Massachusetts, and to approve an award of damages in the amount of $95,000.00, together with such damages and costs as required under General Laws, Chapter 79, Sections 6, 12, 39 and 44A. Account No. 2420-8936.
The Commission V O T E D: to adopt an Order of Taking for acquisition of approximately 43.8 acres of land owned by Herbert H. Lundquist, located in the Town of Hubbardston, Massachusetts.

ORDER OF TAKING
COMMONWEALTH OF MASSACHUSETTS
METROPOLITAN DISTRICT COMMISSION

Boston, March 23, 1995.

ORDERED: That the Metropolitan District Commission by virtue of the power and authority conferred upon it by Chapter 564 of the Acts of 1987, Chapter 36 of the Acts of 1992, and Section 117 of Chapter 92 of the General Laws, and acts in amendment thereof or in addition thereto and every other power and authority hereto enabling, for the purposes of said acts and provisions, does hereby order the taking of and does hereby take in fee for watershed preservation, protection and operation purposes, under the provisions of Chapter 79 of the General Laws, in the name and behalf of the Commonwealth of Massachusetts, the following described land situated in the Town of Hubbardston in the County of Worcester and Commonwealth of Massachusetts, namely:

A certain parcel of land lying off of the northerly side of Brigham Street and westerly of the former Boston and Maine Railroad railbed in said Town of Hubbardston, Worcester County, Massachusetts more particularly bounded and described as follows:

BEGINNING at the southeasterly corner of the parcel to be described at land, now or formerly, of R.W. Green III and J.E. Green and at land, formerly of Silas Wheeler, now possibly of the Town of Hubbardston, at the remains of a stake and stones;

THENCE S. 58° 04′ 56" W., by land formerly of Wheeler a distance of 564.00 feet to a fieldstone bound found at a corner of lands formerly of Wheeler and, now or formerly, of E. Ann Bigelow;

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THENCE S. 62° 18′ 13" W., by land, now or formerly, of Bigelow entering a stone wall and going a distance of 915.68 feet to a drill hole;

THENCE continuing by the stone wall S. 62° 31′ 25" W., a distance of 811.64 feet, leaving the wall and crossing the cartpath to a drill hole set in another wall segment;

THENCE S. 62° 00′ 01"E., by the stone wall a distance of Bigelow a distance of 136.94 feet to a drill hole set;

THENCE by the wall S. 63° 00′ 54" E., passing a drill hole set at or near the end of the wall and continuing 124 feet, more or less, to a point on the center line of the Marean Mill Pond Brook, so-called, being the southwesterly corner of the parcel, at land, now or formerly, of Paul and Susan C.M. Flagg, the last four courses being by land, now or formerly, of E. Ann Bigelow;

THENCE by the center line of the brook upstream and generally northerly a distance of 217 feet, more or less, to a point;

THENCE N. 67° 49′ 58" E. a distance of 24 feet, more or less, to a pile of stones;

THENCE N. 71° 49′ 17" W. a distance of 41.21 feet to a drill hole set in the face of the easterly end of the Marean Mill Pond Dam, near the spot where a yellow birch tree once stood;

THENCE by what was the mean high water mark of the pond, northerly a distance of 580 feet, more or less, to a point at land formerly of the Tracy and Lucey Company, Inc. now of the Commonwealth, at the northwesterly corner of the parcel, the last three courses being by lands, now or formerly, of Paul and Susan C. M. Flagg;

THENCE turning N. 62° 19′ 27" E., by the last named abuttor a distance of 674.56 feet to a point;

THENCE N. 61° 12′ 12" E., a distance of 465.34 feet to a stone monument set at other land of the Commonwealth formerly of Hobart Clark, the last two courses being by land now of the Commonwealth, formerly of the Tracy and Lucey Company, Inc.;

THENCE by land of the Commonwealth N. 61° 32′ 41" E., a distance of 940.47 feet along a stone wall to a stone bound found at other lands, now or formerly, reportedly of the Commonwealth;

THENCE by said lands N. 61° 01′ 22" E., a distance of 236.11 feet to another stone monument at the northeasterly corner of the parcel being described;

THENCE S. 29° 36′ 37" E., a distance of 266.48 feet, still by lands reportedly of the Commonwealth, to a stone bound found at a corner of stone walls, being also the northwesterly corner of lands, now or formerly, of the aforesaid Green;

THENCE S. 31° 10′ 58" E., by the wall, a distance of 130.39 feet to a drill hole set;

THENCE S. 28° 26′ 22" E., a distance of 112.72 feet to a drill hole set, at or near the end of the wall;

THENCE S. 29° 45′ 13" E., a distance of 249.41 feet to the stake and stones at the southeasterly corner of the parcel, the last three courses being by land, now or formerly, of the aforesaid Green, being the first mentioned point and place of beginning.

Containing approximately 43.8 acres as shown on a plan entitled "Commonwealth of Massachusetts, Metropolitan District Commission, Division of Watershed Management, Hubbardston (Worcester County) Mass., Land Taking Plan for Watershed Protection", prepared by Beals and Thomas, Inc., dated June 23, 1993, which plan shall be recorded with Worcester District Registry of Deeds and made a part of this order, at a later date.

Meaning and intending to take hereby the above premises, howsoever the same may be bounded and described, and and being the same premises described in a deed from Elaine D. Carlson to Herbert H. Lundquist, dated March 5, 1947 and recorded with the Worcester District Registry of Deeds in Book 3046, Page 130, and a deed from Chauncy P. Bryant, et als, to Herbert H. Lundquist, dated July 28, 1917 and recorded with said Deeds at Book 2143, Page 36.

The above described premises are represented as Parcel 17 and the northerly portion of Parcel 18 on Sheet 8 of the Hubbardston Assessors Plans.

AND IN LIKE MANNER, for the same purposes and by virtue of the same powers, the said Metropolitan District Commission does hereby order the taking of and does hereby take in the name and for the benefit of the Commonwealth of Massachusetts, for the purposes of said acts and provisions, all trees on said land and structures affixed to said land, with the exception of the poles, wires, cables, conduits, pipes and their appurtenances, for the conveyance of water, sewage, steam, gas and electricity, and for the transmission of telephone and telegraph communications and data or signals by electrical or electronic or electromagnetic means of any kind, now lawfully in or upon said land, and excluding all easements of record on, over, under, across and through said land.

The Commission awards damages sustained by the supposed owner of the land hereinabove mentioned by reason of said taking, in the following sum:

OWNER	AWARD
Herbert H. Lundquist	$ 95,000.00

The Commission further V O T E D: to approve an award of damages in the amount of $95,000.00, together with such damages and costs as required under General Laws, Chapter 79, Sections 6, 12, 39 and 44A.

1. Report of Mr. Gray, March 21, recommending that the Commission adopt an Order of Taking for acquisition of approximately 84.578 acres of land owned by William L. Berry, et ux, located in the Town of Petersham, Massachusetts, and to approve an award of damages in the amount of $210,000.00, together with such damages and costs as required under General Laws, Chapter 79, Sections 6, 12, 39 and 44A. Account No. 2420-8936.
The Commission V O T E D: to adopt an Order of Taking for acquisition of approximately 84.578 acres of land owned by William L. Berry, et ux, located in the Town of Petersham, Massachusetts.

ORDER OF TAKING
COMMONWEALTH OF MASSACHUSETTS
METROPOLITAN DISTRICT COMMISSION

Boston, March 23, 1995.

ORDERED: That the Metropolitan District Commission by virtue of the power and authority conferred upon it by Chapter 564 of the Acts of 1987, Chapter 36 of the Acts of 1992, and Section 117 of Chapter 92 of the General Laws, and acts in amendment thereof or in addition thereto and every other power and authority hereto enabling, for the purposes of said acts and provisions, does hereby order the taking of and does hereby take in fee for watershed preservation, protection and operation purposes, under the provisions of Chapter 79 of the General Laws, in the name and behalf of the Commonwealth of Massachusetts, the following described land situated in the Town of Petersham in the County of Worcester and Commonwealth of Massachusetts, namely:

A certain parcel of land in Petersham, Worcester County, Massachusetts, situated off the southerly side of West Road, and more particularly described by metes and bounds, as follows:

Beginning at the southeasterly corner thereof at a gun barrel set in a stone wall in the westerly line of land of Eleanor McGinnis, et al, described in deed recorded in Worcester District Registry of Deeds in Book 9305, Page 234, and shown as Parcel 691 on "Petersham Property (Assessor's) Map", said gun barrel being also at a corner of land of Robert W. Walters and Suzanne L'Hommedieu described in deed recorded in Book 10803, Page 377, and shown as Parcel 702;

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Thence S 81° 43′ 14" W, 270.97 feet to a point at the easterly end of a stone wall;'

Thence S 82° 37′ 02" W, 170.81 feet with said stone wall to a point at the westerly end thereof;

Thence S 83° 05′ 36" W, 1,402.58 feet to a point at a corner of stone walls;

Thence S 80° 32′ 15" W, 400.19 feet, partly with a stone wall to a point at a corner of stone walls, the preceding four (4) courses being with the northerly line of said Walters and L'Hommedieu land;

Thence S 80° 43′ 22" W, 2,025.94 feet with the northerly line of the President and Fellows of Harvard College, formerly land of Olive Simes (see Worcester County Probate Docket #248866) and shown as Parcel 701 to a gun barrel set in a wood post near the edge of Ayres Pond at a corner of land of Allen and Ruth R. Rubin described in deed recorded in Book 8062, Page 1, and shown as Parcel 699;

Thence N 81° 58′ 04" W, 138.00 feet to a stake and stones found;

Thence N 60° 46′ 21" W, 204.38 feet to a gun barrel;

Thence N 28° 20′ 17" W, 187.77 feet to a gun barrel;

Thence N 16° 25′ 11" W, 172.90 feet to a gun barrel;

Thence N 41° 12′ 43" E, 43.27 feet to a point in the center of a dam;

Thence N 73° 39′ 01" E, 1,016.82 feet with the approximate center of a former brook and across Ayres Pond to a point at the top of Long Island;

Thence N 29° 32′ 19" E, 258.24 feet to a gun barrel set at the edge of a swamp;

Thence N 4° 11′ 35" W, 268.34 feet to a gun barrel set at a corner of land of Robert S. and Elizabeth N. Russell described in deed re corded in Book 7802, Page 118, and shown as Parcel 696, the previous eight (8) courses being with said Rubin Land;

Thence N 67° 35′ 55" E, 591.45 feet to a gun barrel set at an angle in a stone wall;

Thence N 62° 51′ 34" E, 168.95 feet, partly with said wall, to a gun barrel;

Thence N 34° 11′ 55" E, 548.21 feet to a gun barrel set at a corner of stone walls at land of Norman L. Ricard, described in deed recorded in Book 100256, Page 93, and shown as Parcel 696.1, the previous three (3) courses being with said Russell land;

Thence N 87° 05′ 31" E, 44.97 feet with a stone wall to a point;

Thence S 63° 51′ 11" E, 4.80 feet with a stone wall to a point;

Thence N 87° 43′ 47" E, 96.80 feet with a stone wall to a point at a corner of walls;

Thence N 88° 50′ 33" E, 151.57 feet with a stone wall to a point at a corner of stone walls at remaining land of the grantors herein, the previous four (4) courses being with said Ricard land;

Thence S 12° 02′ 26" W, 221.38 feet with a stone wall to a point at a corner of said wall;

Thence N 77° 02′ 45" W, 54.01 feet with a stone wall to a point at a corner of said wall;

Thence S 13° 59′ 26" W, 197.51 feet with a stone wall to a point at a corner of walls;

Thence S 12° 49′ 21" W, 264.39 feet with a stone wall to a point at a bend therein;

Thence N 84° 12′ 17" W, 27.13 feet crossing a lane to a point at a bend in a stone wall;

Thence N 81° 09′ 05" W, 247.07 feet with a stone wall to a point at a bend therein;

Thence S 62° 18′ 01" W, 71.91 feet with said stone wall to a point at a corner of stone walls;

Thence S 8° 52′ 32" W, 203.78 feet with a stone wall to a point at a bend therein;

Thence S 4° 21′ 30" E, 119.25 feet with said wall to a point at a corner thereof;

Thence S 83° 27′ 33" E, 385.59 feet with a stone wall to a point at a junction of stone walls off the westerly side of Pumpkin Lane;

Thence S 77° 47′ 43" E, 159.23 feet, crossing Pumpkin Lane to a point at the northerly end of an opening in a stone wall;

Thence N 11° 18′ 02" E, 167.67 feet with a stone wall to a point at a corner thereof;

Thence S 82° 54′ 54" E, 309.62 feet with a stone wall to a point at a corner thereof; and running

Thence N 65° 46′ 04" E, 77.61 feet, crossing a lane, to a point at a bend of a stone wall;

Thence N 33° 28′ 34" E, 88.62 feet with a stone wall to a point at a bend therein;

Thence N 50° 59′ 10" E, 65.39 feet with a stone wall to a point at the northerly end of an opening therein;

Thence N 25° 48′ 45" E, 107.18 feet with a stone wall to a point a junction of stone walls in the southerly line of land of Bart J. and Dona M. Germond described in deed recorded in Book 8754, Page 40 and shown as Parcel 695.1, the previous seventeen (17) courses being line of division of land of the grantors and with land designated Parcel 695 on the hereinafter cited plan;

Thence S 75° 13′ 11" E, 1,753.31 feet partly by a stone wall and with Germond land to a point in a stone wall at the aforementioned McGinnis land;

Thence S 6° 50′ 32" E, a distance of 282.20 feet with said McGinnis land and a stone wall to a point of beginning. Containing 84.578 acres of land, more or less, and being shown as Parcel 695.2 on "Plan of Land in Petersham to be taken by Metropolitan District Commission ", 1"=100′, December 8, 1994, Sheets 1 & 2, which plan shall be recorded with the Worcester District Registry of Deeds and made a part hereof.

INCLUDING and SUBJECT to a right of way over an existing land known as Pumpkin Land extending from West Road southerly to said land of the President and Fellows of Harvard College.

BEING a portion of the premises conveyed to William L. and Marianna T. Berry, husband and wife, by deed of Carl G. and Loretta W. Nordmark dated May 20, 1960, recorded in said Deeds in Book 4110, Page 454.

Meaning and intending to take hereby the above premises, howsoever the same may be bounded and described.

AND IN LIKE MANNER, for the same purposes and by virtue of the same powers, the said Metropolitan District Commission does hereby order the taking of and does hereby take in the name and for the benefit of the Commonwealth of Massachusetts, for the purposes of said acts and provisions, all trees on said land and structures affixed to said land, with the exception of the poles, wires, cables, conduits, pipes and their appurtenances, for the conveyance of water, sewage, steam, gas and electricity, and for the transmission of telephone and telegraph communications and data or signals by electrical or electronic or electromagnetic means of any kind, now lawfully in or upon said land, and excluding all easements of record on, over, under, across and through said land.

The Commission awards damages sustained by the supposed owners of the land hereinabove mentioned by reason of said taking, in the following sum:

OWNERS	AWARD
William L. Berry and Marianna T. Berry	$ 210,000.00

The Commission further V O T E D: to approve an award of damages in the amount of $210,000.00, together with such damages and costs as required under General Laws, Chapter 79, Sections 6, 12, 39 and 44A.

The following matter was placed on the agenda for the information of the Commission:

1. The following schedules were approved for payment by the Commissioner during the period from January 1, 1995 to January 31, 1995.

Expenditures $3,271,521.92

Adjourned at 10:05 a.m., to meet on Thursday, March 30, 1995, at 10:00 a.m.

William T. Crosby
Secretary

Record of the Three Thousand Seven Hundred and Twenty Third (3723rd) meeting of the Metropolitan District Commission duly called and held at 20 Somerest Street, Boston, Massachusetts, on Thursday, March 30, 1995 at 10:00 a.m.

Present, Commissioner Balfour and Associate Commissioners Carr, Elkort, Settles and Wu.

The Records of the Commission Meeting held on March 9, 1995 were read and approved.
Associate Commissioners Elkort and Wu, noting that they were not at the Commission Meeting of March 9, 1995, abstained from voting on this matter.

The Secretary submitted for signature the following papers which were signed by the Commissioner and four Associate Commissioners:

1. Contract-Agreement, dated March 30, 1995, with EAC Operations, Inc. (SEMASS), for Direct Dumping of Waste from the Harbor District and the Neponset District.

2. Contract-Agreement No. WM95-061-D1A, dated March 30, 1995, with Weston and Sampson Engineers, Inc., for Fast Track Sewer System Design, West Boylston.

3. Contract No. P95-1795-C1A, dated March 30, 1995, with Tar-Vel Roofing, Inc., for Removal of Three MDC Facility Roofs and Replacing with Built-Up Cold Process Roof Systems.

Action was taken upon the following matters relating to the Engineering and Construction Division:

4. Report of Messrs. Faucher and Carrigan, March 20, requesting ratification and approval of the action of Deputy Director Faucher resulting in Extra Work Order No. 1 - Reflectorized Drums With Flashers - at a cost of $1,050.00 and Extra Work Order No. 2 - Pavement Marking Removal - at a cost of $750.75 - on Contract No. P94-1732-C1A, with Bardon Trimount, Inc., for Resurfacing of MDC Parkways at Various Locations Throughout the Metropolitan District.
(At no additional Contract cost as the Extra Work will be offset by unused quantities in Item No. 014-010 - Pavement Trimming).
The Commission V O T E D: to ratify and approve the action of Deputy Director Faucher which resulted in Extra Work Orders No. 1 and 2.
The Commission further V O T E D: to approve Extra Work Order No. 1, in the amount of $1,050.00.
The Commission further V O T E D: to approve Extra Work Order No. 2, in the amount of $750.75.

5. Report of Messrs. Faucher and Soroka, March 24, on bids for Installation of Mid-Block Pedestrian Signals, Day Boulevard, at the Carson Beach Bathhouse, South Boston.
Account No. 2490-8881.
(Messrs. Faucher and Soroka recommend acceptance of the lowest bid received, that of Coviello Electric and General Contracting

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Co., Inc., of $47,493.50).
The Commission V O T E D: to accept the lowest bid received, that of Coviello Electric and General Contracting Co., Inc., of $47,493.50.

1. Report of Messrs. Faucher and Lenhardt, March 23, recommending the following on Contract No. P94-1747-C1A, with N. E. L. Corporation, for Bridge Expansion Joint Repair, Boston/Everett -
(a) That work be accepted as completed as of November 29, 1994.
(b) That Estimate No. 2 (Final), in the amount of $26,622.90, be approved for payment.
(c) That reserve, in the amount of $4,379.38, be approved for payment.
(Basis of Award - $64,570.00)
(Total to Date - $87,587.46)
(Contract Administration Rating - 4.17)
(EEO Compliance - 3.80)
The Commission V O T E D: that the work of N. E. L. Corporation, Contractor under the Contract No. P94-1747-C1A, be and hereby is accepted as completed as of November 29, 1994.
The Commission further V O T E D: to approve Estimate No. 2 (Final), in the amount of $26,622.90, for payment.
The Commission further V O T E D: to approve release of reserve, in the amount of $4,379.38, for payment.

2. Report of Messrs. Faucher and Jackson, March 21, on bids for Landscape Enhancements to MDC Properties, Contract No. P95-1794-C1A.
Account No. 2490-8915.
(Messrs. Faucher and Jackson recommend acceptance of the low bid, that of Foye & Letendre Landscaping, Inc., of $236,744.00).
The Commission V O T E D: to accept the lowest bid received, that of Foye & Letendre Landscaping, Inc., of $236,744.00.

3. Report of Messrs. Faucher and Abounaja, March 27, on bids for Contract No. P95-1792-C1A, for Lead Paint Removal at Various MDC Facilities.
(Messrs. Faucher and Abounaja recommend rejection of all bids due to a decision rendered by the Attorney General's Office, and authorization to re-advertise the Contract).
The Commission V O T E D: to reject all bids on Contract No. P97-1792-C1A, for Lead Paint Removal at Various MDC Facilities, as recommended by Messrs. Faucher and Abounaja in their report of March 27, 1995.
The Commission further V O T E D: authorization to re-advertise the Contract.

4. Report of Messrs. Faucher and Gordon Graham, March 27, recommending approval and execution of Amendment No. 1 to Contract-Agreement No. P95-1759-X1A, with Weston & Sampson Engineering, Inc., for Consultation and Preparation and Submission of a Management Plan for the Lawful Operation of a Solid Waste Yard at Central Services, East Street, Cambridge Site, which extends the scope of engineering services and extends time of performance from March 31, 1995 to June 30, 1995.

The Commission V O T E D: Approved.
The Secretary then submitted for signature Amendment No. 1, dated March 30, 1995, to Contract-Agreement No. P95-1759-X1A, with Weston & Sampson Engineering, Inc., which was signed by the Commissioner and four Associate Commissioners.

Action was taken upon the following matters relating to the Watershed Management Division:

1. Report of Messrs. McGinn and Robert O'Connor, March 20, on proposals for the purchase of forest products located on the Quabbin, Ware River, and Wachusett Watersheds.
The Commission V O T E D: to accept the highest qualified bid, that of Ducat Lumber, of $6,533.46; to purchase approximately 6,597 board feet of sawlogs and 297 cords of firewood on Timber Sale No. 121 - Wachusett Reservoir Watershed.
The Commission further V O T E D: to accept the only bid, that of Burleigh Stanton, of $330.00; to purchase approximately 41 cords of firewood on Timber Sale No. 122 - Wachusett Reservoir Watershed.
The Commission further V O T E D: to accept the highest qualified bid, that of King-Chaffee Logging, of $18,101.00; to purchase approximately 243,762 board feet of timber and 211 cords of firewood on Timber Sale No. 123 - Wachusett Reservoir Watershed.
The Commission further V O T E D: to accept the highest qualified bid, that of Burleigh Stanton, of $632.00; to purchase approximately 45 cords of firewood on Timber Sale No. 124 - Wachusett Reservoir Watershed.
The Commission further V O T E D: to accept the highest qualified bid, that of McLean Logging, of $5,575.71; to purchase approximately 36,540 board feet of timber and 169 cords of firewood on Timber Sale No. 242 - Ware River Watershed.
The Commission further V O T E D: to accept the highest qualified bid, that of Ellsworth Sawmill, of $14,734.00; to purchase approximately 213,870 board feet of timber, 104 cords of firewood and 514 tons of pulp on Timber Sale No. 243 - Ware River Watershed.
The Commission further V O T E D: to accept the highest qualified bid, that of King-Chaffee Logging, of $6,550.00; to purchase approximately 71,805 board feet of timber, 3 cords of firewood and 163 tons of pulp on Timber Sale No. 694 - Quabbin Reservoir Watershed.
The Commission further V O T E D: to accept the highest qualified bid, that of Allard Bros., of $33,70.00; to purchase approximately 87,385 board feet of timber and 90 cords of firewood on Timber Sale No. 695 - Quabbin Reservoir Watershed.
The Commission further V O T E D: to accept the highest qualified bid, that of McLean Logging, of $13,774.14; to purchase approximately 56,040 board feet of timber and 166 cords of firewood on Timber Sale No. 696 - Quabbin Reservoir Watershed.
The Commission further V O T E D: to accept the highest qualified bid, that of Dean Malin, of $7,500.00; to purchase approximately 101,000 board feet and 29 cords of firewood on Timber Sale No. 697 - Reservoir Watershed.
The Commission further V O T E D: to accept the second highest

qualified bid, that of Leclerc & Son Logging, of $20,599.50; to purchase approximately 237,00 board feet of timber, 42 cords of firewood and 55 tons of pulp on Timber Sale No. 698 - Quabbin Reservoir Watershed.
The Commission further V O T E D: to accept the highest qualified bid, that of Curtis Lumber of $22,835.00; to purchase approximately 280,886 board feet of timber, 20 cords of firewood and 921 tons of pulp on Timber Sale No. 699 - Quabbin Reservoir Watershed.
The Commission further V O T E D: to accept the highest qualified bid, that of King-Chaffee Logging, of $7,804.54; to purchase approximately 97,398 board feet of timber, 30 cords of firewood and 187 tons of pulp on Timber Sale No. 700 - Quabbin Reservoir Watershed.
The Commission further V O T E D: to accept the highest qualified bid, that of King-Chaffee Logging, of $6,821.84; to purchase approximately 128,033 board feet of timber, 46 cords of firewood and 143 tons of pulp on Timber Sale No. 701 - Quabbin Reservoir Watershed.
The Commission further V O T E D: to accept the highest qualified bid, that of Curtis Lumber, of $7,440.00; to purchase approximately 83,325 board feet of timber, 94 cords of firewood and 672 tons of pulp on Timber Sale No. 702 - Quabbin Reservoir Watershed.
The Commission further V O T E D: to accept the highest qualified bid, that of Curtis Lumber, of $10,826.48; to purchase approximately 101,000 board feet of timber and 9 cords of firewood on Timber Sale No. 703 - Quabbin Reservoir Watershed.
The Commission further V O T E D: to accept the highest qualified bid, that of King-Chaffee Logging, of $51,235.00; to purchase approximately 362,765 board feet of timber, 267 cords of firewood and 67 tons of pulp on Timber Sale No. 704 - Quabbin Reservoir Watershed.

1. Report of Messrs. McGinn and Pula, March 23, submitting for approval Quabbin Boat Fishing and Fee Schedule for the 1995 fishing season at Quabbin Reservoir.
The Commission V O T E D: Quabbin Boat Fishing and Fee Schedule for the 1995 fishing season at Quabbin Reservoir -

A. FISHING SEASON DATES
The season, weather permitting, for boat and shore fishing will be as follows:
- Boat Launch Area #1 (Gate 8), Boat Launch Area #2 (Gate 31), and Boat Launch Area #3 (Gate 43) will open on Saturday, April 15 and close on Saturday, October 14, 1995.

B. DAYS OPEN
All three Boat Launch Areas will be open seven days per week and a limited number of boats and motors will be available for rental at each area.

C. OPENING HOURS
-April 15-16: 5:30 A.M. (due to large crowds on first weekend)
-April 17 - October 14: 6:00 A.M.

D. CLOSING HOURS - BOATS OFF WATER
-April 15 - May 5: 6:00 P.M.
-May 6 - September 1: 7:00 P.M.
-September 2 - October 14: 6:30 P.M.

E. BOAT RENTAL RATES

Rentals	Minimum	Maximum (8+ hrs.)	Deposit
Boat	$ 2.00	$ 7.00	$ 7.00
Motor (inc. 3 gallons gas)	$ 8.00	$20.00	$20.00
Total	$10.00	$27.00	$27.00

Senior Citizens (65 or older) Monday through Friday except Holidays

Rentals	Minimum	Maximum (8+hrs.)	Deposit
Boat	$ 1.00	$ 3.50	$ 3.50
Motor (inc. 3 gallons gas)	$ 4.00	$10.00	$10.00
Total	$ 5.00	$13.50	$13.50

F. PARKING/LAUNCHING FEES

Parking: Per Vehicle $4.00
Senior Citizens $2.00
Private Boat Launching: Per Person $2.00
Senior Citizen $1.00.

Action was taken upon the following matter relating to the Recreational Facilities and Programs Division:

1. Report of Miss Connolly, March 24, submitting for approval and execution Service Contract with Hunt & Hulteen, for Upgrading Existing Irrigation System at the Foss Park Soccer, Softball and Baseball Fields.
Cost - $5,891.84.
To be Completed by June 30, 1995.
Account No. 2440-9846.
The Commission V O T E D: Held Over.

Action was taken upon the following Various Matter:

2. Report of Mr. Wright, March 24, submitting for approval and signature Annual Contract with the City of Boston for the Maintenance and Operation of the James Michael Curley Recreational Facility, Day Boulevard, South Boston - for the period July 1, 1994 through June 30, 1995. Cost $286,232.00.
The Commission V O T E D: Approved.
The Secretary then submitted for signature Annual Contract, dated March 30, 1995, with the City of Boston, for the Maintenance and Operation of the James Michael Curley Recreational Facility, Day Boulevard, South Boston, which was signed by the Commissioner and four Associate Commissioners.

3. Report of Mr. Jewett, March 29, requesting selection of Massachusetts Institute of Technology, Sea Grant College Program, for Demonstration of Environmentally Sound and Efficient Methods for Algae Management, Nahant Bay Beaches. Contract No. P95-1773-X1A.
Mr. Jewett also requests authorization for Commissioner Balfour to execute the Contract behalf of the Commission
Compensation not-to-exceed - $50,000.00.
Time for Performance - approximately 9 months.

Account No. 2440-1203.
The Commission V O T E D: Approved.
The Commission further V O T E D: authorization for Commissioner Balfour to execute the Contract behalf of the Commission.

Action was taken upon the following matter relating to the Office of Planning:

1. Report of Mrs. O'Brien, March 27, submitting for approval and requesting authorization for Commissioner Balfour to execute, on behalf of the Commission, the following Interagency Service Agreements (ISAs) between the MDC and Central Artery/Third Harbor Tunnel (CA/THT) for Park Development Work in the New Charles River Basin, with the understanding that there will be certain adjustments in schedules of the Lovejoy Wharf and Leverett Circle/Storrow Drive ISAs.

ISA No. 7278 - which provides $683,417.00 for design work and associated costs for development of Loveyjoy Wharf.

ISA No. 7279 - which provides $2,027,834.00 for design and associated costs for the development of the Northpoint Parcel.

ISA No. 7280 - which provides $693,417.00 for design and associated costs for work at Leverett Circle and Storrow Drive.

The Commission V O T E D: to approve the Interagency Service Agreements (ISAs) Nos. 7278, 7279 and 7280, between the MDC and Central Artery/Third Harbor Tunnel (CA/THT) for Park Development Work in the New Charles River Basin, with the understanding that there will be certain adjustments in schedules of the Lovejoy Wharf and Leverett Circle/Storrow Drive ISAs, as requested by Mrs. O'Brien in her report of March 27, 1995.
The Commission further V O T E D: to authorize Commissioner Balfour to execute the ISAs on behalf of the Commission.

The following matter was placed on the agenda for the information of the Commission:

2. The following schedules were approved for payment by the Commissioner during the period from February 1, 1995 to February 28, 1995.

Expenditures $2,74,357.41

Adjourned at 11:20 a.m., to meet on Thursday, April 6, 1995, at 10:00 a.m.

William J. Marshall
Secretary

Record of the Three Thousand Seven Hundred and Twenty Fourth (3724th) meeting of the Metropolitan District Commission duly called and held at 20 Somerest Street, Boston, Massachusetts, on Thursday, April 6, 1995 at 10:00 a.m.

Present, Commissioner Balfour and Associate Commissioners Carr, Elkort, Settles and Wu.

The Records of the Commission Meeting held on March 23, 1995 were read and approved.

The Secretary submitted for signature the following papers which were signed by the Commissioner and four Associate Commissioners:

1. Contract No. P95-1787-C1B, dated April 6, 1995, with Allied Weatherproofing Co., Inc., for Pool Filtration System, Boston (Lee Wading Pool).

2. Contract No. P95-1787-C2B, dated April 6, 1995, with Allied Weatherproofing Co., Inc., for Pool Filtration System, Somerville (Dilboy Pool).

Action was taken upon the following matters relating to the Engineering and Construction Division:

3. Report of Messrs. Faucher and Jackson, March 21, recommending approval of the request of Northern Tree Service, Inc., General Contractor on Contract No. P92-1628-C4A, for 1995 Parkway Landscape Improvements to engage the services of New England Landscape and Irrigation Co., Inc., as sub-contractor for Tree Planting - Turf - at a value of $67,200.00.
The Commission V O T E D: Approved.

4. Report of Messrs. Faucher and Jackson, March 28, submitting for approval Project Summary, Work Schedule, Project Justification and requesting permission to advertise Project No. P95-1806-C1A, for Installation of Flagpoles and Banners - Boston Harbor Beaches.
Estimated Cost - $150,000.00.
Time for Performance - four to six months.
Account No. 2440-8956.
The Commission V O T E D: Approved.
The Commission further V O T E D: Permission to advertise.

5. Report of Messrs. Faucher and Machado, March 29, on bids for Walkway Improvements along the MDC Harbor Beaches, between Winthrop, Boston and Quincy.
Contract No. P95-1802-C1A.
Account No. 2440-8956.
(Messrs. Faucher and Machado recommend acceptance of the lowest bid received, that of D & R General Contracting, Inc., of $264,360.92).
The Commission V O T E D: to accept the lowest bid received, that of D & R General Contracting, Inc., of $264,360.92.

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1. Report of Messrs. Faucher, Sacco and DeLuca, March 30, on bids for Critical Pool Repairs to MDC Swimming Pools and Service Buildings. Contract No. P95-1788-C1B.
Account No. 2440-8952.
(Messrs. Faucher, Sacco and DeLuca recommend acceptance of the lowest bid received, that of Langton & Douglas Contracting, Inc., of $504,695.00).
The Commission V O T E D: to accept the lowest bid received, that of Langton & Douglas Contracting, Inc., of $504,695.00.
The Secretary then submitted for signature Contract No. P95-1788-C1B, dated April 6, 1995, with Langton & Douglas Contracting, Inc., for Critical Repairs to MDC Swimming Pools and Service Buildings, which was signed by the four Associate Commissioners. Commissioner Balfour refrained from signing the Contract pending further clarification of EEO information.

2. Report of Messrs. Faucher, Brooks and DeLuca, April 3, on bids for Service and Repairs to All MDC Swimming Pools and Service Buildings. Contract No. P95-1790-M1A.
Account No. 2440-0010-NN.
(Messrs. Faucher, Brooks and DeLuca recommend acceptance of the only bid received, that of Allied Weatherproofing Co., Inc., of $679,625.00).
The Commission V O T E D: to accept the only bid received, that of Allied Weatherproofing Co., Inc., of $679,625.00.

Action was taken upon the following matters relating to the Recreational Facilities and Programs Division:

3. Report of Miss Connolly, March 24, submitting for approval and execution Service Contract with Hunt & Hulteen, for Upgrading Existing Irrigation System at the Foss Park Soccer, Softball and Baseball Fields.
Cost - $5,891.84.
To be Completed by June 30, 1995.
Account No. 2440-9846.
The Commission V O T E D: Approved.
The Secretary then submitted for signature Service Contract, dated March 30, 1995, with Hunt & Hulteen, which was signed by the Commissioner and four Associate Commissioners.

4. Report of Miss Connolly, March 29, requesting approval of the request of the Hyde Park Junior Athletic Association that the baseball diamond (one of four fields), located on Kelly Field, Hyde Park, be named in honor of Charlie Senior, a Hyde Park little league coach for forty years.
The Commission V O T E D: Approved as requested by Miss Connolly in her report of March 29, 1995.

5. Report of Ms. Connolly, April 3, submitting for approval 1995 Spring/Summer/Fall Schedules and Fees, for Recreational Facilities in the Metropolitan Parks System.
The Commission V O T E D: to approve the 1995 Spring/Summer/Fall Schedules and Fees, for Recreational Facilities in the Metropolitan Parks System as follows:

Amended by Comm. Vote of Aug 31, 1995 see p. 94 (Vol. 59) see 5 a p. 95 which changed the fee structure for

GOLF COURSES
April 15, 1995 - December 1, 1995 for Ponkapoag Golf Course
April 22, 1995 - December 1, 1995 for Leo J. Martin Golf Course

Fees	
Tournaments	- $ 75.00
League Registration	- $ 75.00
*Season Ticket (Good for both Martin & Ponkapoag)	
Adult - 7 days/week	- $325.00
Adult - Monday thru Friday (excludes Holidays)	- $250.00
Senior Citizen (65 & older) (Monday thru Friday) (excludes Holidays)	- $130.00
Junior (16 & under) (Monday thru Friday) (excludes Holidays)	- $130.00
June-Sept. Junior (16 & under) (Monday thru Friday) (excludes Holidays)	- $100.00

*The MDC will not be accepting any new applications for Season Tickets for the 1995 season.

Daily Greens Fees	
Weekday - Adult	- $ 12.00 18 holes
Weekday - Senior Citizen	- $ 5.00 18 holes
Weekday - Junior	- $ 5.00 18 holes
Saturday, Sunday, Holiday - Adult	- $ 14.00 18 holes
Saturday, Sunday, Holiday - Senior Citizen	- $ 12.00 18 holes
Saturday, Sunday, Holiday - Junior	- $ 12.00 18 holes
Twilight Fee	- $ 5.00

STADIA (Dilboy, Hormel, Daly)

Rental, First 5 Hours	- $87.00
Each Additional Hour	- $15.00
1-Day Concession Permit @ Dilboy	- $20.00
1-Day Concession Permit @ Hormel and Daly	- $25.00

BEACHES
June 25, 1995 - September 4, 1995

POOLS
June 25, 1995 - September 4, 1995
Swim Instruction (10:00 A.M. - 12:00 Noon - Weekdays)
Public Swimming Hours

Monday-Friday	- 12:00 Noon - 5:00 P.M.	All ages
Monday-Friday	- 5:00 P.M. - 6:00 P.M.	Adult & Special Programs
Saturday & Sunday	- 10:00 A.M. - 6:00 P.M.	

HATCH SHELL
April 22, 1995 - October 31, 1995

SAILING (HARRY McDONOUGH SAILING PROGRAM/PLEASURE BAY/SOUTH BOSTON)
June 25, 1995 - September 4, 1995
7 Days a Week - 10:00 A.M. - 6:00 P.M.

PICNIC AREA PERMIT - $ 3.00.

Action was taken upon the following Various Matters:

1. Request of Andrew Wilson of Boston Duck Tours, March 27, regarding the following matters concerning his Permit with the Commission -

Annual Operational Review
Renewal of Roadway License
Change in the Payment Due Date of the Boat Ramp License Fee
The Addition of Three New Ducks to the Fleet
Boston Duck Tours Future in the Charles River Basin.

John F. Shea of McGregor & Shea, Attorneys at Law, P.C., representing Boston Duck Tours, L.P., (BDTLP) discussed in detail the annual review for 1994, as required under terms of the three year Permit which was approved by the Commission at its Meeting of May 5, 1994.

Andrew Wilson explained that, due to great public demand for seats on the tours, BDTLP is seeking the addition of three new ducks to its fleet for the 1995 season. This, he explained, will increase the number of craft to a total of seven, to be used in the Charles River Basin. One of the seven, he noted will be held in reserve in case of mechanical problems with any of the other six craft.

He then stated that BDTLP would like to change the yearly due date of April 1 for payment of the annual Permit fee of $10,000.00, or 1% of gross revenue, whichever is greater, to December 31 to come in line with BDTLP cash flow and the final determination of the 1% of gross revenue.

Associate Commissioner Carr stated that he was not in favor of changing the due date for the annual Permit fee. At this point, BDTLP withdrew the request for a change in the due date for the Permit fee.

Mr. Wilson further explained that the License BDTLP holds from the Metropolitan District Commission for the use of Land Boulevard, Cambridge-Longfellow Bridge, Boston/Cambridge-Gilmore Bridge, Boston/Cambridge and Harvard Bridge, Boston/Cambridge for the operation of sightseeing vehicles for the carriage of passengers for hire will expire of April 30, 1995. Therefore, Mr. Wilson explained, he is requesting renewal of the License at this time.

Mr. Wilson then expressed his concern that the Metropolitan District Commission has not included Boston Duck Tours in the Master Plan for the New Charles River Basin, or as one of the recreational projects in the Chapter 91 License being sought by the Commission and the Massachusetts Highway Department for the Charles River Crossing.

At this point, Mr. Shea explained that BDTLP is in complete compliance with all terms of the Permit and BDTLP has submitted to the Commission the information requested in Paragraph 16 of the Permit for the first annual operational review.

Mr. Shea then noted that BDTLP has received support from the Charles River Watershed Association in the request for an increase in the number of Ducks to be used in their tour operation from four to seven.

Associate Commissioner Wu asked Mr. Shea to clarify several issues raised by the documents submitted to the Commissioners by BDTLP. Associate
Commissioner Wu questioned if the investors in BDTLP were aware

of the speculative and temporary aspects of the business. Mr. Shea responded in the affirmative.
Associate Commissioner Wu then asked if the MDC staff had been cooperative with BDTLP. Mr. Wilson responded in the affirmative.
Mr. Wilson then expressed his concern that the MDC Master Plan did not designate a location in the new Charles River Basin extension for BDTLP.
Associate Commissioner Wu asked several questions to establish that BDTLP was in the North point location on a temporary Permit; that they understood the temporary nature of their present location was clear to BDTLP prior to start-up of the operation and that the Commission had in no way failed to live up to its obligation. Both Messrs. Shea and Wilson acknowledged that this was the case.
Mr. Wilson then stressed his desire to work out a mutually agreeable location for his business in the future. The Commission expressed its willingness to continue to work with BDTLP if the business can be accomodated within the new Park development.
The Commission also discussed the BDTLP Petition to Intervene in the Chapter 91 consolidated license application for the area north of Causeway, Central Artery/Tunnel Project, DEP #W95/3900, which was served on Commission Balfour March 31, 1995. BDTLP stated that they had filed the Petition to protect their interests in the Chapter 91 License process.
Associate Commissioner Wu expressed his concern with the tone of the letter to Mr. John Simpson, Waterways Program Chief, Department of Environmental Protection, dated March 31, 1995 concerning the Chapter 91 Consolidated License application, particularly the section of the letter which alleges the potential for direct or indirect harm to BDTLP business.
Associate Commissioner Wu then specifically questioned BDTLP as to whether any action by the Commission had in any way harmed BDTLP. Messrs. Wilson and Shea acknowledged that the Commission had caused the business no harm. It was noted that the Chapter 91, comments and interventions were submitted by BDTLP for information only and no Commission action is required at this time.
Following a lengthy discussion, with all interested parties participating, the Commission V O T E D: to renew the roadway permit for the 1995 season. The Secretary was directed to prepare and issue the Permit.
The Commission then V O T E D: to allow BDTLP to increase the size of their fleet by three ducks. Commissioner Wu noted for the record, because of the nature of the Permit BDTLP was assuming all financial risk in increasing the size of the fleet. (At an earlier stage of the discussion, Boston Duck Tours withdrew its request for a change in the due date of the Permit fee).
The Commission then asked that staff continue to work with BDTLP in an effort to attempt to resolve mutual concerns.

1. Report of Miss Overton, April 6, recommending selection of Graphic Productions, Inc., for Production of Banners and Water Quality Flags in conjunction with the Back to the Beaches Plan. Cost not-to-exceed $80,000.00.

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Time of Performance - twelve months.
Account No. 2440-8956.
The Commission V O T E D: to approve the recommendation of Miss Overton, and select Graphic Productions, Inc., for the Production of Banners and Water Quality Flags, in conjunction with the Back to the Beaches Plan, at a cost not-to-exceed $80,000.00.

Adjourned at 12:20 p.m., to meet on Thursday, April 13, 1995, at 10:00 a.m.

William F. Crusbl
S e c r e t a r y

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Record of the Three Thousand Seven Hundred and Twenty Fifth (3725th) meeting of the Metropolitan District Commission duly called and held at 20 Somerest Street, Boston, Massachusetts, on Thursday, April 13, 1995 at 10:00 a.m.

Present, Commissioner Balfour and Associate Commissioners Carr, Elkort, Settles and Wu.

The Records of the Commission Meeting held on March 30, 1995 were read and approved.

The Secretary submitted for signature the following papers which were signed by the Commissioner and four Associate Commissioners:

1. Contract-Agreement, dated April 13, 1995, with Clean Harbors Environmental Services, Inc., for Wachusett Watershed Pilot Household Hazardous Waste Collection.

2. Contract, dated April 13, 1995, with Graphic Productions, Inc., for Production of Banners and Water Quality Flags in conjunction with the Back to the Beaches Plan.

3. Contract No. P85-1341-C1A, April 13, 1995, with Paonessa Co., Inc., for Reconstruction/Rehabilitation of Lynn Shore Drive, Lynn Beach, Kings Beach Seawall Rehabilitation.

Action was taken upon the following matters relating to the Engineering and Construction Division:

4. Report of Mr. Jackson, April 4, submitting for approval Project Summary, Project Justification, Work Schedule and requesting authorization to advertise Project No. P95-1761-D1A, for Playground Design Services - Four Sites - to be selected.
Estimated Cost - $150,000.00.
Time for Performance - 18 months.
Account No. 2441-9886.
The Commission V O T E D: Approved.
The Commission further V O T E D: authorization to advertise Project No. P95-1761-D1A, for Playground Design Services - Four Sites - to be selected.

5. Report of Mr. Jackson, April 4, submitting for approval Project Summary, Project Justification, Work Schedule and requesting authorization to advertise Project No. P93-1668-X2A, for Professional Landscape Architect Services.
Estimated Cost - $150,000.00.
Time for Performance - 12 months.
Account Nos. 2490-0012 and 2441-9886.
The Commission V O T E D: Approved.
The Commission further V O T E D: authorization to advertise Project No. P93-1668-X2A, for Professional Landscape Architect Services.

6. Report of Messrs. Faucher and Haider, April 7, requesting approval of the following on Contract No. P94-1739-C1B, with P. J. Kennedy & Sons, Inc., for Installation of New Gas Lines and

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Boiler Systems at the North Central Garage Cluster and at Nahant - the Installation of Garage Doors and Sealing Other Garage Door Openings -
Extra Work Order No. 1 - at a cost not-to-exceed $9,200.00
Install Unit Heaters and Baseboard Heaters in North Central Garage Annex Paint Shop.
Extra Work Order No. 2 - at a cost not-to-exceed $8,670.00
Install New Baseboard Heaters in North Central Garage Annex (office area).
Extra Work Order No. 3 - at a cost not-to-exceed $6.032.00
Installation of Direct Vent Gas Unit Heater and New Gas Line in North Central Garage Annex.
An **Extension of Time** to May 31, 1995 to complete the work.
Account No. 2490-8910.
The Commission V O T E D: to approve Extra Work Order No. 1, at a cost-not-to exceed $9,200.00.
The Commission further V O T E D: to approve Extra Work Order No. 2, at a cost-not-to exceed $8,670.00.
The Commission further V O T E D: to approve Extra Work Order No. 3, at a cost-not-to exceed $6,032.00.
The Commission further V O T E D: to approve an extension of time to May 31, 1995, as requested by Messrs. Faucher and Haider in their report of April 7, 1995, to be effective, however, only upon receipt of the written consent of the bonding company, and on condition that no further request will be made for additional compensation.

1. Report of Messrs. Faucher and Haider, April 7, recommending approval of an **Extension of Time** from March 31, 1995 to May 31, 1995, on Contract No. P94-1756-C1B, with G.V.W., Inc., for Improvements to, Including Painting and Lead Abatement, the Hull Central Service Complex, Nantasket Beach, Hull, Massachusetts. Messrs. Faucher and Haider further recommend ratification and approval of the action of Acting Director of Engineering and Construction Faucher resulting in -

Extra Work Order No. 1	**$ 8,529.26**
Building No. 1 - Furnish and Install Rubber Roofing, Chimney Re-pointing	
Building No. 2 - Furnish and Install Rubber Roofing.	
Extra Work Order No. 4	**$ 896.55**
Building No. 4 - Remove and Re-install Unsuitable Soil	
Extra Work Order No. 5	**$ 2,000.00**
Storage Shed and Green House Lead Abatement - Paint	
Extra Work Order No. 6	**$ 3,000.00**
Building Nos. 6 and 7 - Repair Roof Flashing	
Extra Work Order No. 7	**$ 4,997.86**
Building No. 4 - Furnish and Install Custom Entrance Doors, Additional Basement Windows	

Messrs. Faucher and Haider further recommend approval of the following Extra Work Orders -

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Extra Work Order No. 2 Building No. 1 - Furnish and Install Galvanized Steel Roof Support Brackets	**$14,509.54**
Extra Work Order No. 3 Building No. 1 through Building No. 7 - Furnish and Install New Electrical Service and Upgrade of Electrical Service to Code	**$32,282.72**
Extra Work Order No. 8 Building No. 1 - Stucco Replacement and Insulation	**$16,577.96**
Extra Work Order No. 9 Building No. 1 - Replacement of Rotted Wood Building Frames in Front of Building	**$ 6,000.00**
Total of Extra Work Orders -	**$88,793.89**

Account No. 2490-8910.
The Commission V O T E D: to approve an extension of time from March 31, 1995 to May 31, 1995, as requested Messrs. Faucher and Haider in their report of April 7, 1995, to be effective, however, only upon receipt of the written consent of the bonding company, and on condition that no further request will be made for additional compensation.
The Commission further V O T E D: to ratify and approve the action taken by the Acting Director of Engineering and Construction which resulted in the following Extra Work Orders: Extra Work Order No. 1, in the amount of $8,529.26; Extra Work Order No. 4, in the amount of $898.59; Extra Work Order No. 5, in the amount of $2,000.00; Extra Work Order No. 6, in the amount of $3,000.00; and Extra Work Order No. 7, in the amount of $4,997.86.
The Commission further V O T E D: to approve the following Extra Work Orders: Extra Work Order No. 2, in the amount of $14,509.54; Extra Work Order No. 3, in the amount of $32,282.72; Extra Work Order No. 8, in the amount of $16,577.96; and Extra Work Order No. 9, in the amount of $6,000.00.

1. Report of Messrs. Faucher and Haider, April 7, recommending approval of a revision in quantities on Item No. 004-010 - Licensed Technician - at a total cost of $9,317.00, on Contract No. P93-1687-M2A, with P. H. Mechanical Corporation, for Servicing HVAC Systems at Various MDC Facilities.
(At no increase in Contract cost as the revision will be offset by unused quantities in Item No. 005-010 - Technician Helper).
The Commission V O T E D: Approved.

2. Report of Messrs. Faucher and Jackson, April 6, on bids for Reconstruction of Riverdale Park, Dedham and Toohig Playground, Dorchester. Contract No. P95-1770-C1A.
Account No. 2440-8952 - $108,281.73.
Account No. 2440-8888 - $168,118.27.
(Messrs. Faucher and Jackson recommend acceptance of the lowest bid received, that of Fleming Brothers, Inc., of $276,400.00).
The Commission V O T E D: to accept the lowest bid received, that of Fleming Brothers, Inc., of $276,400.00.

Action was taken upon the following matter relating to the Watershed Management Division:

1. Report of Messrs. McGinn and Robert O'Connor, April 3, submitting for approval the Quabbin Watershed - MDC Land Management Plan 1995 - 2004 in accordance with the requirements of MGL Chapter 92 and the Consent Order between the MDC, the Massachusetts Water Resources Authority and the Massachusetts Department of Environmental Protection.
The Commission V O T E D: Approved.
A copy of the Quabbin Watershed - MDC Land Management Plan 1995 - 2004 will be placed on file in the Secretary's Office.
Action was taken upon the following Various Matters:

Action was taken upon the following Various Matters:

2. Report of Mr. Jewett, April 7, requesting approval and authorization for Commissioner Balfour to execute, on behalf of the Commission, three Contracts for Watershed Land Acquisition Program FY95 - Professional Real Estate Engineering Services (Open Order No. RP95-0001) - Worcester and Franklin Counties.
(The Commission authorized the Contracts on December 8, 1994 - in the amount of $600,000.00).

	VALUE	PARCELS
Beals & Thomas, Inc.	$49,500.00	8
Daylor Consulting Group, Inc.	$48,485.00	3
Seltec Engineering, Inc.	$38,350.00	9

Account No. 2421-9936.
The Commission V O T E D: Approved.
The Commission further V O T E D: authorization for Commissioner Balfour to execute, on behalf of the Commission, three Contracts for Watershed Land Acquisition Program FY95 - Professional Real Estate Engineering Services (Open Order No. RP95-0001) - Worcester and Franklin Counties.

3. Report of Mr. Jewett, April 7, requesting approval and authorization for Commissioner Balfour to execute, on behalf of the Commission, four Contracts for Park Land Acquisition Program FY95 - Professional Real Estate Engineering Services (Open Order No. RP95-0004) - Middlesex, Suffolk, Norfolk, Essex and Plymouth Counties.
(The Commission authorized the Contracts on January 19, 1995 - in the amount of $550,000.00).

	VALUE	PARCELS
Beals & Thomas, Inc.	$21,000.00	3
Daylor Consulting Group, Inc.	$12,010.00	1
Hidell-Eyster Technical Services	$12,675.00	2
Seltec Engineering, Inc.	$ 5,800.00	1

Account No. 2441-9886.
The Commission V O T E D: Approved.
The Commission further V O T E D: authorization for Commissioner Balfour to execute, on behalf of the Commission, four Contracts for Park Land Acquisition Program FY95 - Professional Real Estate Engineering Services (Open Order No. RP95-0004) - Middlesex, Suffolk, Norfolk, Essex and Plymouth Counties.

1. Report of Mr. Jewett, April 11, requesting approval and authorization for Commissioner Balfour to execute, on behalf of the Commission, four Contracts for Watershed Land Acquisition FY95 - Land Survey Services (Open Order Contract No. RP95-0003) - Worcester and Franklin Counties.
(The Commission authorized the Contracts on January 26, 1995 - in the amount of $200,000.00).

	VALUE	PARCELS
Ainsworth Associates	$22,400.00	3
Greenman-Pedersen, Inc.	$38,400.00	7
Land Planning Engineering and Survey	$41,035.00	3
Schofield Brothers of New England, Inc.	$26,300.00	4

Account No. 2421-9936.
The Commission V O T E D: Approved.
The Commission further V O T E D: authorization for Commissioner Balfour to execute, on behalf of the Commission, four Contracts for Watershed Land Acquisition FY95 - Land Survey Services (Open Order Contract No. RP95-0003) - Worcester and Franklin Counties.

2. Report of Mr. Jewett, April 11, on behalf of the Selection Committee recommending the selection of Franklin Environmental Services, Inc., for Project No. P95-1759-C1A, Contaminated Soil Disposal, East Cambridge and Stoneham Central Services Yards.
Cost not-to-exceed - $19,000.00.
Estimated time for Performance - three months.
Account No. 2490-8910.
The Commission V O T E D: Approved.

Action was taken upon the following matters relating to the Office of Real Property:

Report of Mr. Gray, April 10, recommending that the Commission adopt an Order of Taking for acquisition of approximately 7.7 acres of land owned by Paul W. Shapter, Jr., et al, located in the town of West Boylston, Massachusetts, and to approve an award of damages in the amount of $48,000.00, together with such damages and costs as required under General Laws, Chapter 79, Sections 6, 12, 39 and 44A.
Account No. 2420-8936.

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The Commission V O T E D: to adopt an Order of Taking for acquisition of approximately 7.7 acres of land owned by Paul W. Shapter, Jr., et al, located in the town of West Boylston,

ORDER OF TAKING
COMMONWEALTH OF MASSACHUSETTS
METROPOLITAN DISTRICT COMMISSION

Boston, April 13, 1995.

ORDERED: That the Metropolitan District Commission by virtue of the power and authority conferred upon it by Chapter 564 of the Acts of 1987, Chapter 36 of the Acts of 1992, and Section 117 of Chapter 92 of the General Laws, and acts in amendment thereof or in addition thereto and every other power and authority hereto enabling, for the purposes of said acts and provisions, does hereby order the taking of and does hereby take in fee for watershed preservation, protection and operation purposes, under the provisions of Chapter 79 of the General Laws, in the name and behalf of the Commonwealth of Massachusetts, the following described land situated in the Town of West Boylston in the County of Worcester and Commonwealth of Massachusetts, namely:

A certain parcel of land lying on the westerly side of Pine Arden Drive, astride, and partially bounded by, "Malden Brook" so-called, more particularly bounded and described as follows:

Beginning at a point on the westerly line of Pine Arden Drive, at the northeasterly corner of lot 11A as shown upon a plan entitled "Revised Plan of Lots in West Boylston MA owned by Pine Arden Estates, Inc." dated June 1961 and drawn by Robinson Engineering Inc., and recorded with the Worcester District Registry of Deeds at Plan Book 257, Plan 54, being land, now or formerly, of Nancy M. Tully;

Thence N. 67° 55′ W., by the northerly line of lot 11A, a distance of 176.92 feet, to a corner;

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Thence S. 20° 45′ W., by the westerly lines of lots 11A, 9A, and 8A, a distance of 490.88 feet to a point on "Malden Brook" so-called, at land, formerly of Artemas C. Smith, now of the Commonwealth, this course being by land, now or formerly, of the aforesaid Tully, of Dean O. and Karen A. Bernstein, and of Paul F. and Marilyn I. Chambers, respectively;

Thence Southerly by the westerly bank of "Malden Brook" so-called, a distance of 292 feet, more or less, to an iron bolt;

Thence S. 79° 59′ 15" W. a disttance of 53.21 feet to a stone bound;

Thence S. 21° 34′ 26" W. a distance of 188.968 feet to a stone bound at a corner, and land, now or formerly, of Richard L. and Janice P. Gilley, and, now or formerly, of Borggaard Malden Realty Trust, the last three courses being by land, formerly of the aforesaid Smith, now of the Commonwealth;

Thence N. 10° 29′ 05" W. a distance of 108.249 feet to a point, at or near, a gun barrel;

Thence N. 0° 58′40" E. a distance of 1,012.68 feet to a stone bound found at land, formerly of George B. and Silas Newton, now of the Commonwealth, the last two courses being by land, now or formerly, of Borggaard Malden Realty Trust;

Thence N. 6° 37′ 36" W. a distance of 181.27 feet, by land of the Commonwealth, to the northwesterly corner of the parcel being described, and a point at land, now or formerly, of Eugene P. and Suellen Supernor;

Thence S. 67° 55′ E. a distance of 526.22 feet to the northwesterly corner of Lot 12A as described in Book 4311, Page 511 in said Deeds, Lot 12A being land, now or formerly, of Mark C. and Karen F. Dupuis;

Thence S. 20° 45′ W. by the westerly line of Lot 12A a distance of 148.24 feet to the southwesterly corner of the Lot;

Thence S. 67° 55′ E. by the southerly line of Lot 12A a distance of 178.08 feet to a point on the westerly line of Pine Arden Drive;

Thence S. 22° 05′ W. by Pine Arden Drive a distance of 50.00 feet to the point and place of beginning.

Containing, by estimate, a total area of 7.7 acres, more or less.

Meaning and intending to take hereby the above premises, howsoever the same may be bounded and described, and including any and all fee interest in Pine Arden Drive, or "Malden Brook", so-called, which may be held by the supposed owners, and being the same premises described in a deed from Paul W. Shapter to Paul W. Shapter, Jr. and Katherine V. Shapter, as tenants in common, dated September 20, 1991 and recorded with the Worcester District Registry of Deeds at Book 13679, Page 176.

The property herein taken is represented upon West Boylston Assessors Tax Map Sheet 133 as Parcel 2.

There is no recorded, nor known unrecorded, survey plan of the premises herein described. Reference may be made to the following plans recorded with said Deeds for further delineation and identification of the property herein taken: Plan Book 6, Plan 20; Plan Book 220, Plan 69; Plan Book 235, Plan 6; Plan Book 241, Plan 45, Sheets 1 and 2; Plan Book 257, Plan 54; Plan Book 364, Plan 34, Plan Book 538, Plan 102; and the plan recorded in Deed Book 1744, Page 218.

AND IN LIKE MANNER, for the same purposes and by virtue of the same powers, the said Metropolitan District Commission does hereby order the taking of and does hereby take in the name and for the benefit of the Commonwealth of Massachusetts, for the purposes of said acts and provisions, all trees on said land and structures affixed to said land, with the exception of the poles, wires, cables, conduits, pipes and their appurtenances, for the conveyance of water, sewage, steam, gas and electricity, and for the transmission of telephone and telegraph communications and data or signals by electrical or electronic or electromagnetic means of any kind, now lawfully in or upon said land, and excluding all easements of record on, over, under, across and through said land.

The Commission awards damages sustained by the supposed owners of the land hereinabove mentioned by reason of said taking, in the following sum:

OWNERS	AWARD
Paul W. Shapter, Jr. and Katherine V. Shapter	$ 48,000.00

The Commission further V O T E D: to approve an award of damages in the amount of $48,000.00, together with such damages and costs as required under General Laws, Chapter 79, Sections 6, 12, 39 and 44A.

1. Report of Mr. Gray, April 10, recommending that the Commission adopt an Order of Taking for acquisition of approximately 5.551 acres of land owned by Stillwater Meadows, Inc., located in the town of Sterling, Massachusetts, and to approve an award of damages in the amount of $55,000.00, together with such damages and costs as required under General Laws, Chapter 79, Sections 6, 12, 39 and 44A.
Account No. 2420-8936.
The Commission V O T E D: to adopt an Order of Taking for acquisition of approximately 5.551 acres of land owned by Stillwater Meadows, Inc., located in the town of Sterling, Massachusetts.

ORDER OF TAKING
COMMONWEALTH OF MASSACHUSETTS
METROPOLITAN DISTRICT COMMISSION

Boston, April 13, 1995.

ORDERED: That the Metropolitan District Commission by virtue of the power and authority conferred upon it by Chapter 564 of the Acts of 1987, Chapter 36 of the Acts of 1992, and Section 117 of Chapter 92 of the General Laws, and acts in amendment thereof or in addition thereto and every other power and authority hereto enabling, for the purposes of said acts and provisions, does hereby order the taking of and does hereby take in fee for watershed preservation, protection and operation purposes, under the provisions of Chapter 79 of the General Laws, in the name and behalf of the Commonwealth of Massachusetts, the following described land situated in the Town of Sterling in the County of Worcester and Commonwealth of Massachusetts, namely:

A certain parcel of land on Brookside Lane in said Sterling, containing approximately 5.551 acres, and shown as Lot 9A on a plan of land entitled "Plan of Lots in Sterling Prepared for Stillwater Meadows, Inc.", dated September 13, 1993, prepared by Berry Engineering, Inc., and recorded with the Worcester District Registry of Deeds as Plan 125 in Plan Book 674.

Meaning and intending to take hereby the above premises, howsoever the same may be bounded and described, and including any and all fee interest in Brookside Lane which may be held by the supposed owner, and being a portion of the premises described in a deed from the Federal Deposit Insurance Corporation to Stillwater Meadows, Inc., dated August 28, 1992, and recorded with said Deeds in Book 14548, Page 208.

AND IN LIKE MANNER, for the same purposes and by virtue of the same powers, the said Metropolitan District Commission does hereby order the taking of and does hereby take in the name and for the benefit of the Commonwealth of Massachusetts, for the purposes of said acts and provisions, all trees on said land and structures affixed to said land, with the exception of the poles, wires, cables, conduits, pipes and their appurtenances, for the conveyance of water, sewage, steam, gas and electricity, and for the transmission of telephone and telegraph communications and data or signals by electrical or electronic or electromagnetic means of any kind, now lawfully in or upon said land, and excluding all easements of record on, over, under, across and through said land; and expressly excluding from the premises taken hereby, the drainage easement shown on the above cited plan of land, which relates to the retention basin established on said property; and further granting to the owners of the abutting and adjacent lots in the subdivision plan for Brookside Lane, the right to enter upon said premises and, with the approval of the Division of Watershed Management, to slope and grade or otherwise modify, repair or renovate said basin to maintain necessary and proper drainage for the site.

The Commission awards damages sustained by the supposed owner of the land hereinabove mentioned by reason of said taking, in the following sum:

OWNER	AWARD
Stilwater Meadows, Inc.	$ 55,000.00

The Commission further V O T E D: to approve an award of damages in the amount of $55,000.00, together with such damages and costs as required under General Laws, Chapter 79, Sections 6, 12, 39 and 44A.

1. Report of Mr. Gray, April 10, recommending that the Commission adopt an Order of Taking for acquisition of approximately 1.857 acres of land owned by Anthony G. DePasquale, et al, located in the town of Sterling, Massachusetts, and to approve an award of damages in the amount of $65,000.00, together with such damages and costs as required under General Laws, Chapter 79, Sections 6, 12, 39 and 44A.
Account No. 2420-8936.
The Commission V O T E D: to adopt an Order of Taking for acquisition of approximately 1.857 acres of land owned by Anthony G. DePasquale, et al, located in the town of Sterling, Massachusetts.

ORDER OF TAKING
COMMONWEALTH OF MASSACHUSETTS
METROPOLITAN DISTRICT COMMISSION

Boston, April 13, 1995.

ORDERED: That the Metropolitan District Commission by virtue of the power and authority conferred upon it by Chapter 564 of the Acts of 1987, Chapter 36 of the Acts of 1992, and Section 117 of Chapter 92 of the General Laws, and acts in amendment thereof or in addition thereto and every other power and authority hereto enabling, for the purposes of said acts and provisions, does hereby order the taking of and does hereby take in fee for watershed preservation, protection and operation purposes, under the provisions of Chapter 79 of the General Laws, in the name and behalf of the Commonwealth of Massachusetts, the following described land situated in the Town of Sterling in the County of Worcester and Commonwealth of Massachusetts, namely:

A certain parcel of land situated on the southeasterly side of Lucas Road, Sterling, Massachusetts, and being shown as Lot 1 and Parcel "A" on a plan entitled "Plan of Land in Sterling, Massachusetts, made for Robert E. and Priscilla J. Miller, June, 1980, Charles A. Perkins Co., In., Civil Engineers and Surveyors" (said "Plan") recorded in Worcester District Registry of Deeds Plan Book 478, Plan 55, and further bounded and described as follows:

Parcel 1 being designated as Lot 1 on said Plan:

BEGINNING at a drill hole in a stone wall on the easterly side of said Lucas Road and at land nor or formerly of William L. and Joan M. Belmore, as shown on said Plan;

THENCE S 64° 29′ 56" E, by said Belmore land along a stone wall, a distance of two hundred eighty and 86/100 (280.86) feet to a point;

THENCE S 24° 42′ 29" W, ninety-six and 60/100 (96.60) feet to a drill hole;

THENCE S 32° 39′ 24" W, one hundred twenty-four and 24/100 (124.24) feet to a drill hole in a stone wall;

THENCE N 58° 32′ 20" W, seventy-three and 69/100 (73.68) feet to a stake and at the easterly corner of land now or formerly of Charles R. and Denise Hewson;

THENCE N 68° 19′ 20" W, along said Hewson land, two hundred six and 97/100 (206.97) feet to a stake at a stone wall along the easterly side of said road;

THENCE N 30° 50′ 05" E, along said wall, one hundred twenty-one and 16/100 (121.16) feet to a stake;

THENCE N 26° 28′ 57 E, one hundred five and 40/100 (105.40) feet to the place of beginning.

Containing 1.41 acres as shown on said Plan.

Parcel 2 being designated as Parcel "A" on said Plan:

BEGINNING at a point at the most northerly corner of Parcel "A" as shown on said Plan, said point being two hundred eighty and 86/100 (280.86) feet from the easterly side of Lucas Road and measured along a stone wall in a direction of S 64° 29′ 56" E;

THENCE S 64° 29′ 56" E, one hundred seven and 51/100 (107.51) feet by said Belmore land along said stone wall to a drill hole and at land now or formerly of Robert E. and Priscilla J. Miller;

THENCE S 37° 40′ 10" W, two hundred thirty-two and 67/100 (232.67) feet to a stone wall;

THENCE N 58° 32′ 20" W, along said wall, seventy-three and 00/100 (73.00) feet to a drill hole;

THENCE N 32° 39′ 24" E, one hundred twenty-four and 24/100 (124.24) feet to a drill hole;

THENCE N 24° 42′ 29" E, ninety-six and 60/100 (96.60) feet to place of beginning.

Containing 19,430 square feet, more or less, as shown on said Plan.

Meaning and intending to take hereby the above premises, howsoever the same may be bounded and described, and including any and all fee interest in Lucas Road which may be held by the supposed owners, and being the same premises described in a deed from Gary F. Peterson, et ux, to Anthony G. DePasquale, et al, dated September 16, 1981, and recorded with Worcester District Registry of Deeds in Book 7325, Page 128.

AND IN LIKE MANNER, for the same purposes and by virtue of the same powers, the said Metropolitan District Commission does hereby order the taking of and does hereby take in the name and for the benefit of the Commonwealth of Massachusetts, for the purposes of said acts and provisions, all trees on said land and structures affixed to said land, with the exception of the poles, wires, cables, conduits, pipes and their appurtenances, for the conveyance of water, sewage, steam, gas and electricity, and for the transmission of telephone and telegraph communications and data or signals by electrical or electronic or electromagnetic means of any kind, now lawfully in or upon said land, and excluding all easements of record on, over, under, across and through said land.

The Commission awards damages sustained by the supposed owners of the land hereinabove mentioned by reason of said taking, in the following sum:

OWNER	AWARD
Anthony G. DePasquale and Margaret M. Campbell	$ 65,000.00

The Commission further V O T E D: to approve an award of damages in the amount of $65,000.00, together with such damages and costs as required under General Laws, Chapter 79, Sections 6, 12, 39 and 44A.

Adjourned at 11:20 a.m., to meet on Thursday, April 20, 1995, at 10:00 a.m.

William J. Quirk
Secretary

Record of the Three Thousand Seven Hundred and Twenty Sixth (3726th) meeting of the Metropolitan District Commission duly called and held at 20 Somerest Street, Boston, Massachusetts, on Thursday, April 20, 1995 at 10:00 a.m.

Present, Commissioner Balfour and Associate Commissioners Carr, Elkort, Settles and Wu.

The Secretary submitted for signature the following papers which were signed by the Commissioner and four Associate Commissioners:

1. Contract No. P95-1802-C1A, dated April 20, 1995, with D & R General Contracting, Inc., for Walkway Improvements along MDC Harbor Beaches, between Winthrop, Boston & Quincy.

2. Contract No. P95-1790-M1A, dated April 20, 1995, with Allied Weatherproofing Co., Inc., for Service and Repairs to all MDC Swimming Pools and Service Buildings.

3. Contract No. P95-1794-C1A, dated April 20, 1995, with Foye & Letendre Landscaping, Inc., for Landscape Enhancements to MDC Properties.

Action was taken upon the following matters relating to the Engineering and Construction Division:

4. Report of Messrs. Faucher and Carrigan, April 7, recommending approval of a Fourth Amendment to Contract-Agreement No. P85-1341-D1E, with Andrew Christo Engineers, Design Engineers, for Engineering Services for Reconstruction/Rehabilitation of Lynn Shore Drive, Lynn Beach, King's Beach Rehabilitation, which extends the contract completion date from June 30, 1995 to June 30, 1998.
(At no increase in Contract cost).
The Commission V O T E D: Approved.

5. Report of Messrs. Faucher and Carrigan, April 4, recommending ratification and approval of the action of Deputy Director Faucher resulting in revision in quantities on the following items on Contract No. P94-1733-C1A, with J. Marchese & Sons, Inc., for Repairing/Replacing Bituminous and Cement Concrete Sidewalks and Curbing, Various Locations throughout the Metropolitan District -

Item No. 001-010	**$ 5,625.00**
Unclassified Excavation	
Item No. 012-010	**$ 12,100.00**
New Granite Edgestone, Type VA4" 6" x 18" Curved	
Item No. 018-010	**$ 57,000.00**
Sidewalks, Medians and Traffic Islands, One Course 4" Thick	
Item No. 020-010	**$ 3,225.00**
Pedestrian Ramps	
Item No. 021-010	**$ 63,600.00**
Bituminous Concrete for Sidewalks, Driveways and Patching	
Total -	**$141,550.00**

(at no increase in Contract cost the revisions will be offset by unused quantities in Item Nos. 003-010, Gravel Borrow, 004-010, Loam Borrow, 009-010, Edgestone Removed and Stored or disposed of, 010-010, New Granite Edgestone, Type VA-4-6"x18", Straight, and 024-010, Grading, Liming, Fertilizing and Seeding).
The Commission V O T E D: to ratify and approve the action of Deputy Director Faucher and approve the revisions in quantities as recommended by Messrs. Faucher and Carrigan in their report of April 4, 1995.

1. Report of Mr. Jackson, April 5, recommending the following on Contract No. P93-1661-D1A, with The Primary Group, Inc., for Improvements to Father Francis Ryan Playground -
(a) That work be accepted as completed as of December 31, 1994.
(b) That Estimate No. 5 (Final), in the amount of $1,949.11, be approved for payment.
(c) That retainage, in the amount of $4,893.38, be approved for payment.

(Basis of Award - $50,000.00)
(Total to Date - $48,931.74)
(Contract Administration Rating - 8.00 with 10.00 being excellent)
(EEO Compliance - N/A)

The Commission V O T E D: that the work of The Primary Group, Consultant under Contract No. P93-1661-D1A, be and hereby is accepted as completed as of December 31, 1994.
The Commission further V O T E D: to approve Estimate No. 5 (Final), in the amount of $1,949.11, for payment.
The Commission further V O T E D: to approve release of retainage, in the $4,893.38, for payment.

2. Report of Mr. Faucher and Mrs. Graves-Jones, April 11, recommending approval of a revision of funding accounts on Contract No. P94-1752-M1A, with Coviello Electric & General Contracting, Inc., for Servicing Traffic Signal and Control Systems, Blue Hills, Old Colony, Middlesex Fells & Revere Beach Districts as follows -
From Approved Source of Funds-Account No. 2444-9001 - $851,595.00
To - Account No. 2444-9001 - $801,595.00
Account No. 2490-0012 - $ 50,000.00
Total - $851,595.00.
The Commission V O T E D: Approved.

3. Report of Messrs. Faucher and McCalla, April 11, recommending approval of a revision of funding accounts on Contract No. P94-1706-M1A, with Penachio Brothers Electrical Corporation, for Street Light Maintenance Program, as follows -
From Approved Source of Funds-Account No. 2444-9001 - $581,428.85
To - Account No. 2444-9001 - $531,428.85
Account No. 2490-0012 - $ 50,000.00
Total - $581,428.85.
The Commission V O T E D: Approved.

4. Report of Messrs. Faucher and Machado, April 11, recommending approval of a revision of funding accounts on Contract No.

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P94-1734-C1A, with Citiworks, Inc., for Installation of Closure Gates, Guard Rail and Fences at Various Locations of the Metropolitan District Park System, as follows -
From Approval Source of Funds-Account No. 2490-8910- $546,947.00
To - Account No. 2490-8910 - $246,947.00
Account No. 2440-8952 - $300,000.00
Total - $546,947.00.
The Commission V O T E D: Approved.

1. Report of Mr. Faucher and Mrs. Graves-Jones, April 12, recommending approval of a revision of funding accounts on Contract No. P94-1705-M1A, with Markings, Inc., for Installation of Reflectorized Pavement Markings on Parkways and Roadways of the Metropolitan District Commission, as follows -
From Approved Source of Funds-Account No. 2444-9001-$257,735.23
To - Account No. 2444-9001 - $ 40,272.05
Account No. 2490-0012 - $217,463.18
Total - $257,735.23.
The Commission V O T E D: Approved.

2. Report of Messrs. Faucher and McCalla, April 14, recommending ratification and approval of the action of Acting Director Faucher resulting in revisions in quantities on the following items on Contract No. P94-1736-M1A, with Coviello Electric and General Contracting Co., Inc., for Electrical Maintenance Work at Sports Facilities and Recreational Areas of the Metropolitan District Commission-Lee Pool, Olsen Pool and an increase in the scope to include emergency work done at Craigie Bridge -

Item No. 001-010	Hourly Rate for Licensed Electrician	**- $ 8,547.00**
Item No. 002-010	Hourly Rate for Licensed Electrician Helper	**- $ 3,255.00**
Item No. 003-010	Hourly Rate for Vehicle	**- $ 2,035.00**
Item No. 005-010	Materials, Components and	**- $22,902.00**
		Total - $36,739.00

Lee Pool - $ 8,000.00 - Account No. 2440-7893
Olsen Pool - $ 8,000.00 - Account No. 2440-7893
Craigie Bridge - $10,739.00 - Account No. 2490-0012
Material, Components and Parts - $10,000.00 - Account No. 2440-0010.
The Commission V O T E D: Approved as recommended by Messrs. Faucher and McCalla in their report of April 14, 1995.

Action was taken upon the following matter relating to the Recreational Facilities and Programs Division:

3. Report of Miss Connolly, April 13, recommending approval and execution of an Agreement with Charles River Recreation, Inc., for a Trial Canoe and Kayak Service in the Charles River Basin, near the Herter Center, for the period April 29, 1995 to October 12, 1995.
Associate Commissioner Settles expressed his concern regarding Public Liability Insurance limits of $100,000.00 per person and $300,000.00 per accident as carried by Charles River Recreation, Inc., (CRRI) for the Trial Canoe and Kayak Service. He stated

the limits were not realistic for the this type of operation and should be increased. He then stated that Public Liability Insurance coverage for the operation should be at least $300,000.00 per person and $1,000,000.00 per accident.
Associate Commissioner Settles then questioned the compensation section of the Agreement. Mr. Jewett, noting that this is a trial service, explained that if the service proves successful and continues, the compensation section will be adjusted accordingly.
Associate Commissioner Wu spoke of safety considerations for canoes and kayaks in the river. He noted that this area of the Charles River Basin is extremely busy with various colleges and private clubs utilizing the river for their boating and crew activities.
Commissioner Balfour, noted that several questions remain to be answered relative to the three programs operated by (CRRI), on Commission property. He asked that the Recreational Facilities and Programs Division ask Mr. Larry Smith, President of CRRI, to come before the Commission at the next Meeting to make a presentation on the three programs and answer any questions the Commission may have.
The Commission V O T E D: Approved.
The Secretary then submitted for signature Agreement, dated April 20, 1995, with Charles River Recreation, Inc., which was signed by the four Associate Commissioners. Commissioner Balfour withheld his signature until such time as CRRI submits an insurance certificate indicating that the Public Liability Insurance limits have been increased to $300,000.00 per person and $1,000,000.00 per accident.

Action was taken upon the following matters relating to the Watershed Management Division:

1. Report of Messrs. McGinn and Robert O'Connor, April 13, recommending approval to enter into a Contract with University of Massachusetts, to complete an inventory of rare and endangered plants on lands scheduled for forest management and other lands likely to contain these species.
Cost not-to-exceed - $10,000.00.
Time for Performance - May 1 to December 31, 1995.
Account No. 2420-1400.
The Commission V O T E D: Approved.

2. Report of Messrs. McGinn and Robert O'Connor, April 13, recommending approval to enter into a Contract with Hampshire College, to complete an analysis of the 30 years of forest inventory data and collection of supplemental data, for the 58,000 acres of MDC lands at Quabbin Reservoir.
Cost not-to-exceed $10,000.00.
Time for Performance - May 1 to December 31, 1995.
Account No. 2420-1400.
The Commission V O T E D: Approved.

3. Report of Messrs. McGinn and Robert O'Connor, April 12, submitting for approval proposals for the purchase of roadside

sawlogs located on the Quabbin Reservoir Watershed.
The Commission V O T E D: to accept the highest qualified bid, that of King Chaffee Logging, of $24,364.00; to purchase approximately 154,510 board feet of logs, 24 tons of pulp and 5 cords of firewood on Roadside Sale No. 47 - Quabbin Reservoir Watershed.
The Commission further V O T E D: to accept the only qualified bid, that of Leclerc & Son Logging, of $1,991.67; to purchase approximately 12,560 board feet of logs on Roadside Sale No. 48 - Quabbin Reservoir Watershed.

Action was taken upon the following Various Matter:

1. Report of Mrs. O'Brien and Mr. Driscoll, March 3, submitting for approval and execution an Amendment to Contract No. PL92-001-S2A, with Howe Surveying Associates, Inc., for Alewife Reservation Survey, which calls for an extension of time from April 30, 1995 to June 30, 1995, due to the need for changes in final survey plans, reformatting of computer discs and completion of installation of survey bounds.
(At no increase in Contract cost).
The Commission V O T E D: Approved.
The Secretary then submitted for signature Amendment, dated April 20, 1995, to Contract No. PL92-001-S2A, with Howe Surveying Associates, Inc., which was signed by the Commissioner and four Associate Commissioners.

Adjourned at 12:10 p.m., to meet on Thursday, April 27, 1995, at 10:00 a.m.

William F. Cusick
Secretary

Record of the Three Thousand Seven Hundred and Twenty Seventh (3727th) meeting of the Metropolitan District Commission duly called and held at 20 Somerest Street, Boston, Massachusetts, on Thursday, May 4, 1995 at 10:00 a.m.

Present, Commissioner Balfour and Associate Commissioners Carr, Elkort and Settles.

The Records of the Commission Meetings held on April 6, 1995 and April 13, 1995, were read and approved.

The Secretary submitted for signature the following paper which was signed by the Commissioner and three Associate Commissioners:

1. Contract No. P95-1771-C1A, dated May 4, 1995, with Coviello Electric and General Contracting Co., Inc., for Installation of Mid-Block Pedestrian Signals, Day Boulevard, at the Carson Beach Bathhouse, South Boston.

Action was taken upon the following matters relating to the Engineering and Construction Division:

2. Report of Messrs. Faucher and Sacco, April 19, recommending approval of the request of John J. Paonessa Company, Inc., Contractor on Contract No. P82-1128-C2A, Rehabilitation of Mystic Valley Parkway, Winchester, to engage the services of Rev-Lyn Contracting Co., as sub-contractor for Item No. 002-071 - Permanent Sheeting - $59,700.00.
(At no increase in Contract cost).
The Commission V O T E D: Approved.

3. Report of Messrs. Faucher and Carrigan, February 15, submitting for approval Work Schedule, Project Summary, Project Justification and requesting permission to advertise Project No. P95-1801-C1A, Resurfacing of MDC Parkways at Various Locations throughout the Metropolitan District - FY95-96.
Estimated Cost - $1,750,000.00.
Estimated Time for Project Completion - Fourteen months.
Account No. 2490-8910.
The Commission V O T E D: Approved.
The Commission further V O T E D: permission to advertise Project No. P95-1801-C1A, Resurfacing of MDC Parkways at Various Locations throughout the Metropolitan District - FY95-96.

4. Report of Messrs. Faucher and Brooks, April 18, recommending approval of the following on Contract No. P92-1630-C2A, with Boston Graving Dock Corporation, for Removal of the Tugboats "Luna" and "Venus" from the Charles River Lower Basin, Boston -
(a) Rescind the Commission vote of February 2, 1995 for Alteration No. 1, which provided for disposal of the "Luna" in a landfill.
(b) An extension of time from February 21, 1995 to March 28, 1995, for administrative purposes only under the provisions of Article No. 22 and further that this extension shall in no way effect the liquidated damages in Article No. 21.

(c) Extra Work Order No. 5, in the amount of $15,000.00, for dry dock rental from February 21, 1995 through March 28, 1995.
(At no increase in Contract cost as the disposal cost of $28,500.00 will more than offset the dry dock rental fee).
The Commission V O T E D: to rescind the Commission vote of February 2, 1995 for Alteration No. 1, which provided for disposal of the "Luna" in a landfill.
The Commission further V O T E D: to approve an extension of time, for administrative purposes only, from February 21, 1995 to March 28, 1995, as recommended by Messrs. Faucher and Brooks in their report of April 18, 1995, to be effective, however, only upon receipt of the written consent of the bonding company, if required, and on condition that no further request will be made for additional compensation and that this extension of time shall in no way effect the liquidated damages in Article No. 21, that may be due to the Commission and shall not operate as a waiver on the part of the Commission or in any of its rights under the Contract.
The Commission further V O T E D: to approve Extra Work Order No. 5, in the amount of $15,000.00, for dry dock rental from February 21, 1995 through March 28, 1995.

1. Report of Messrs. Faucher and Arinella, April 17, submitting for approval Project Summary, Work Schedule, Project Justification and requesting permission to advertise Project No. P95-1800-M1A, for Service to Underwater Structures at Various Sites of Flood Control/Navigation.
FY96 - $55,000.00 - Account No. 2440-0010-NN.
FY97 - $55,000.00 - Account No. 2440-0010-NN.
(Subject to Appropriation FY96 - FY97).
The Commission V O T E D: Approved.
The Commission further V O T E D: permission to advertise Project No. P95-1800-M1A, for Service to Underwater Structures at Various Sites of Flood Control/Navigation.

2. Report of Messrs. Faucher and Arinella, April 17, submitting for approval Project Summary, Work Schedule, Project Justification and requesting permission to advertise Project No. P95-1799-M1A, for Service to Hydraulic Power Systems at Various Sites of Flood Control/Navigation.
FY96 - $60,000.00 - Account No. 2440-0010-NN.
FY97 - $60,000.00 - Account No. 2440-0010-NN.
(Subject to Appropriation FY96 - FY97).
The Commission V O T E D: Approved.
The Commission further V O T E D: permission to advertise Project No. P95-1799-M1A, for Service to Hydraulic Power Systems at Various Sites of Flood Control/Navigation.

3. Report of Messrs. Faucher and Abounaja, April 25, on bids for Lead Paint Removal at Various MDC Facilities, Contract No. P95-1792-C1B.
(Messrs. Faucher and Abounaja recommend acceptance of the second lowest bid received, that of Environmental Restoration, Inc., of $500,330.00. They further recommend approval of an increase in

funding for the project from $480,000.00 to $500,330.00 from Account No. 2441-9952).
The Commission V O T E D: to accept the second lowest bid received, that of Environmental Restoration, Inc., of $500,330.00.
The Commission further V O T E D: to approve an increase in funding for the project from $480,000.00 to $500,330.00 from Account No. 2441-9952.

1. Report of Messrs. Faucher and Sacco, March 6, recommending the following on Contract No. P80-0826-C1A, with M. DeMatteo Construction Co., for Repairs to the Approaches to the Huntington Avenue Overpass -
(a) That work be accepted as completed as of October 21, 1994.
(b) That Estimate No. 19 and 13 (Final), in the amount of $46,016.23, be approved for payment.
(c) That reserve, in the amount of $18,504.04, be approved for payment.
(Basis of Award - $3,607,114.50)
(Total to Date - $3,830,080.53)
(Contract Administration Rating - 3.00)
(EEO Compliance - 4.60)
The Commission V O T E D: that the work of M. DeMatteo Construction Co., Contractor under Contract No. P80-0826-C1A, be and hereby is accepted as completed as of October 21, 1995.
The Commission further V O T E D: to approve Estimate No. 19 and 13 (Final), in the amount of $46,016.23, for payment.
The Commission further V O T E D: to approve release of reserve, in the amount of $18,504.04, for payment.

2. Report of Messrs. Faucher and Mayhew, April 27, concerning the two bids received for Installation of New Dasher Boards at the William F. Devine Ice Skating Rink, Dorchester, Contract No. P95-1805-C1A.
(Messrs. Faucher and Mayhew recommend rejection of the bid of Crystaplex (a Division of Laird Plastics) for failure to submit a Certificate of Eligibility and Update Statement and Eugene Ricciardelli, Inc. as their bid was excessive).
Messrs. Faucher and Mayhew further recommend that authorization be give to readvertise the project.
The Commission V O T E D: to reject the bid of Crystaplex (a Division of Laird Plastics) for failure to submit a Certificate of Eligibility and Update Statement and Eugene Ricciardelli, Inc. as their bid was excessive, as recommended by Messrs. Faucher and Mayhew in their report of April 27, 1995.
The Commission further V O T E D: authorization to readvertise the project.

3. Report of Messrs. Faucher and Higgott, April 28, on bids for Removing and Replacing Shade Shelters on Day Boulevard, South Boston, Contract No. P95-1793-C1A.
(Messrs. Faucher and Higgott recommend acceptance of the lowest bid received, that of G.V.W. Inc., of $168,680.00).
The Commission V O T E D: to accept the lowest bid received, that of G.V.W. Inc., of $168,680.00.

1. Report of Messrs. Faucher and Brooks, April 28, recommending the following on Contract No. P94-1735-M1A, with Harris Environmental Systems, Inc., for Maintenance of Refrigeration Systems at MDC Skating Rinks - FY95 & FY96 -
   1. Ratification of the action of Acting Director of Engineering and Construction Faucher resulting in repairs to one compressor and rebuilding one chiller unit at the Devine Rink, Dorchester; Repairs and Replacement of the microprocessor at the Shea Rink, Quincy. Repairs to one compressor at the Steriti Rink, North End.
   2. Revisions in Quantities -

Item No. 023-010 Provide Maintenance Service	-	$36,493.45
Item No. 025-010 Materials and Parts	-	$41,263.43
	Total -	$77,756.88

   3. A change in funding for Item No. 026-010 - Cooling Tower, Reilly Rink, from Account No. 2440-0010-NN to Account No. 2440-8952, for a total of $17,900.00.
   4. An increase in Contract cost in the sum of $77,756.88.

   Funds available in Account No. 2440-8952.
   The Commission V O T E D: to ratify the action of Acting Director of Engineering and Construction Faucher resulting in repairs to one compressor and rebuilding one chiller unit at the Devine Rink, Dorchester; Repairs and Replacement of the microprocessor at the Shea Rink, Quincy. Repairs to one compressor at the Steriti Rink, North End.
   The Commission further V O T E D: to approve the Revisions in Quantities on Item Nos. 023-010 and 025-010.
   The Commission further V O T E D: to approve a change in funding for Item No. 026-010 - Cooling Tower, Reilly Rink, from Account No. 2440-0010-NN to Account No. 2440-8952, for a total of $17,900.00.
   The Commission further V O T E D: to approve an increase in Contract cost in the sum of $77,756.88, as recommended by Messrs. Faucher and Brooks in their report of April 28, 1995.

2. Report of Messrs. Faucher and Haider, April 20, on bids for Well Installation, Camp Nihan, Saugus, Contract No. P93-1701-C1A. Account No. 2440-8848.
   (Messrs. Faucher and Haider recommend acceptance of the only bid received, that of Allstate Drilling & Pump Service, Inc., d/b/a/ E. Ryder Well Drilling, of $46,687.09).
   The Commission V O T E D: to accept the only bid received, that of Allstate Drilling & Pump Service, Inc., d/b/a/ E. Ryder Well Drilling, of $46,687.09.

3. Report of Messrs. Faucher and Gordon Graham, April 18, requesting approval of an increase in compensation from $30,000.00 to $50,000.00, on Contract No. P95-1759-X1A, with Weston and Sampson Engineers, Inc., for Consultation and Preparation and Submission of a Management Plan for the Lawful Operation of a Solid Waste Yard at Central Services, East Street, Cambridge Site, to cover extended scope of services.

Account No. 2490-8910.
The Commission V O T E D: Approved.

Action was taken upon the following matter relating to the Watershed Management Division:

1. Report of Messrs. McGinn and Kane, April 13, recommending the following on Contract No. WM93-072-D2A, with Lindgren Associates, P.C., for Remedial Electrical Work at Quabbin Tower -
(a) That work be accepted as completed as of January 20, 1995.
(b) That Estimate No. 1 (Final), in the amount of $1,560.00, be approved for payment.
(Basis of Award - $1,560.00)
(Total to Date - $1,560.00)
(Contract Administration Rating - 9.50 with 10.00 being excellent).
(EEO Compliance - N/A)
The Commission V O T E D: that the work of Lindgren Associates, Consultant under Contract No. WM93-072-D2A, be and hereby is accepted as completed as of January 20, 1995.
The Commission further V O T E D: to approve Estimate No. 1 (Final), in the amount of $1,560.00, for payment.

Action was taken upon the following Various Matters:

2. Report of Mrs. Dyett and Mr. Traficante, April 20, recommending approval of Amendment No. 1 to Contract-Agreement with Health Resources, to Medically Evaluate MDC Employees at Risk for Occupational Exposure to Hazardous Materials, for -
1. Alcohol and Controlled Substance/Illegal Drug Testing Awareness Training for 189 MDC Employees.
2. Pre-Employment, Post Accident, and Reasonable Suspicion Testing.
3. Substance Abuse Policy Development.
The additional services will result in an increase in the Contract upset limit from $30,000.00 to $33,300.00.
Funding for the $3,300.00 increase is available in Account No. 2440-1000.
The Commission V O T E D: Approved as recommended by Mrs. Dyett and Mr. Traficante in their report of April 20, 1995.

3. Report of Mrs. O'Brien, April 21, recommending approval of the renewal of a Permit to Andrew Carlson to eel fish in the Mystic and Charles River and direct the Secretary to prepare and issue the Permit.
The Commission V O T E D: to approve renewal of a Permit to Andrew Carlson to eel fish in the Mystic and Charles River and direct the Secretary to prepare and issue the Permit.

4. Report of Miss Overton, April 24, submitting for approval and execution, on behalf of the EOEA Selection Committee, Contract-Agreement with John A. Clarkeson, for Program Coordination Services for the Neponset River Watershed Project.
Contract Cost - $41,053.40.
Time for Performance - Fifteen months.

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Account No. 2441-8886.
The Commission V O T E D: Approved.
The Secretary then submitted for signature Contract-Agreement, dated April 27, 1995, with John A. Clarkeson, which was signed by the Commissioner and two Associate Commissioners.
Associate Commissioner Elkort did not participate in discussion, vote on this matter nor sign the Contract-Agreement.

1. Report of Mr. Jewett, April 24, recommending approval of and authorization for Commissioner Balfour to execute on behalf of the Commission, a Contract with Daylor Consulting Group, Inc., for Land Survey Services as part of Open Order Contract No. RP95-0006, for Park Land Acquisition.
Cost $25,500.00 - 2 parcels.
Time for Performance - 30 days.
Account No. 2441-9886.
The Commission V O T E D: Approved.
The Commission further V O T E D: authorization for Commissioner Balfour to execute on behalf of the Commission, a Contract with Daylor Consulting Group, Inc., for Land Survey Services as part of Open Order Contract No. RP95-0006, for Park Land Acquisition.

2. Report of Ms. Anderson, April 27, requesting approval of the installation of a park bench on Memorial Drive, in the area of the recent helicopter accident, memorializing those who were victims of the fatal crash.
The Commission V O T E D: Approved as recommended by Ms. Anderson in her report of April 27, 1995.

3. Report of Mrs. O'Brien, April 24, submitting for approval Project Summary, Work Schedule, Project Justification and requesting permission to advertise Project No. PL-92-007-S1A, for consultant services - Charles River Master Plan.
Estimated Cost - $475,000.00.
Time for Performance - eighteen months.
Account No. 2410-7872.
The Commission V O T E D: Approved.
The Commission further V O T E D: permission to advertise Project No. PL-92-007-S1A, for consultant services - Charles River Master Plan.

4. Report of Mr. Jewett, April 28, requesting approval and authorization for Commissioner Balfour to execute, on behalf of the Commission, six Contracts for Park Land Acquisition Program FY95 - Professional Real Estate M.G.L. C.21E Study Services - Open Order No. RP95-0004 -

	VALUE	**PARCELS**
Environmental Compliance Services, Inc.	$11,300.00	2
GZA GeoEnvironmental, Inc.	$34,900.00	4
Gale Associates, Inc.	$27,200.00	2
Loitherstein Environmental Engineering	$16,800.00	2
Lord Associates	$32,180.00	4
Lycott Environmental Research, Inc.	$14,000.00	4

1. Report of Mr. Gray, April 25, recommending that the Commission adopt an Order of Taking for acquisition of approximately 102.35 acres of land owned by Digital Equipment Corporation, located in the Towns Boylston and West Boylston, Massachusetts, and to approve an award of damages in the amount of $240,000.00, together with such damages and costs as required under General Laws, Chapter 79, Section 6, 12, 39 and 44A.
Account No. 2420-8936.
The Commission V O T E D: to adopt an Order of Taking for acquisition of approximately 102.35 acres of land owned by Digital Equipment Corporation, located in the Towns Boylston and West Boylston, Massachusetts.

ORDER OF TAKING
COMMONWEALTH OF MASSACHUSETTS
METROPOLITAN DISTRICT COMMISSION

Boston, May 4, 1995.

ORDERED: That the Metropolitan District Commission by virtue of the power and authority conferred upon it by Chapter 564 of the Acts of 1987, Chapter 36 of the Acts of 1992, and Section 117 of Chapter 92 of the General Laws, and acts in amendment thereof or in addition thereto and every other power and authority hereto enabling, for the purposes of said acts and provisions, does hereby order the taking of and does hereby take in fee for watershed preservation, protection and operation purposes, under the provisions of Chapter 79 of the General Laws, in the name and behalf of the Commonwealth of Massachusetts, the following described land situated in the Towns of Boylston and West Boylston in the County of Worcester and Commonwealth of Massachusetts, namely:

A certain parcel of land lying south of Wachusett Reservoir and off of Route 140 (West Boylston Street), mostly within the said Town of Boylston, but partially within West Boylston, more particularly bounded and described as follows:

Beginning at a point on the Corporate Boundary between the said Towns, at a corner of two lots formerly held by Levi L. Flagg amd the Matmore Realty Trust, respectively, now held by the Commonwealth of Massachusetts, said corner lying approximately 500 feet southerly of the intersection of the Corporate Boundary with the southerly layout line of Route 140 (Temple Street and West Boylston Street;

Thence S. 74° 07′ 32" E. entering Boylston and going a distance of 351.58 feet, by land of the Commonwealth, formerly of Levi L. Flagg, to a corner, and other land of the Commonwealth, formerly held by George Flagg;

Thence S. 04° 39′ 36" E. a distance of 480.48 feet to another corner;

Thence S. 66° 50′ 39" E. a distance of 310.42 feet to a point;

Thence S. 65° 39′ 33" E. a distance of 277.44 feet to a point;

Thence S. 64° 09′ 03" E. a distance of 590.33 feet to a corner;

Thence S. 10° 10′ 15" E. a distance of 451.10 feet to a point;

Thence S. 07° 21′ 39" E. a distance of 182.94 feet to a point;

Thence S. 09° 18′ 02" E. a distance of 494.68 feet to a point;

Thence S. 10° 10′ 55" E. a distance of 516.22 feet to a point;

Thence S. 10° 49′ 42" E. a distance of 240.60 feet to the southeasterly corner of the parcel being described at other land, now or formerly, of Digital Equipment Corporation, the last ten courses being by land formerly of George Flagg, now of the Commonwealth of Massachusetts;

Thence S. 85° 07′ 49" W., by other land, now or formerly, of Digital Equipment Corporation, a distance of 1,833.58 feet to a corner at a point on the Corporate Boundary between the two towns, at land, now or formerly, of the New England Power Company, and of the County of Worcester;

Thence N. 35° 44′ 28" W. entering West Boylston and going a distance of 102.21 feet, along the easterly line of a New England Power Company easement, and land of the Worcester County Hospital to a point;

Thence N. 10° 55′ 48" W., by the easement line and land of the County Hospital, a distance of 233.59 feet to a corner at land, now or formerly of Shell Oil Company;

Thence S. 87° 19′ 50" E. a distance of 71.96 feet to a corner;

Thence N. 01° 43′ 09" E. a distance of 536.85 feet to a point;

Thence N. 01° 55′ 46" E. a distance of 1,228.37 feet to a corner;

Thence N. 85° 20′ 04" W. a distance of 249.25 feet to a point;

Thence N. 86° 27′ 28" W. a distance of 260.79 feet to a corner, and a point on the easterly side of the aforementioned power line easement;

Thence N. 10° 55′ 50" W. a distance of 891.54 feet, along the easement, to the northwesterly corner of the parcel being described herein, at land formerly of Matmore Realty Trust, Now of the Commonwealth, the last six courses being by land, now or formerly, of Shell Oil Company;

Thence S. 85° 08′ 16" E. a distance of 236.54 feet to a point;

Thence S. 86° 30′ 09" E. a distance of 265.87 feet to a point;

Thence S. 84° 00′ 44" E. a distance of 211.13 feet to the point on the Corporate Boundary between West Boylston and Boylston, being the point and place of beginning, the last three courses being by land formerly of Matmore Realty Trust, now of the Commonwealth.

Containing an area of 4,458,200.60 square feet, or 102.35 acres, 88.35 acres lying in Boylston, and 13.97 acres in West Boylston, as shown upon the third sheet of a three sheet set of survey plans drawn by the Daylor Consulting Group for the Digital Equipment Corporation, dated January 25, 1989, and recorded with the Worcester District Registry of Deeds in Plan Book 618, Plan 94.

Meaning and intending to take hereby the above premises, howsoever the same may be bounded and described, and being a portion of the same premises described in a deed from Shepard Knapp School to Digital Equipment Corporation, dated November 16, 1978 and recorded with the Worcester District Registry of Deeds at Book 6615 , Page 328.

The above described property is further identified by reference to the Assessors Plans of the two towns. The portion of the property within West Boylston is represented as Parcel 4 on Plan 170. The larger parcel within Boylston is represented upon that towns' records as Map 47, Parcel 81.

AND IN LIKE MANNER, for the same purposes and by virtue of the same powers, the said Metropolitan District Commission does hereby order the taking of and does hereby take in the name and for the benefit of the Commonwealth of Massachusetts, for the purposes of said acts and provisions, all trees on said land and structures affixed to said land, with the exception of the poles, wires, cables, conduits, pipes and their appurtenances, for the conveyance of water, sewage, steam, gas and electricity, and for the transmission of telephone and telegraph communications and data or signals by electrical or electronic or electromagnetic means of any kind, now lawfully in or upon said land, and excluding all easements of record on, over, under, across and through said land.

The Commission awards damages sustained by the supposed owner of the land hereinabove mentioned by reason of said taking, in the following sum:

OWNER	AWARD
Digital Equipment Corporation	$ 240,000.00

The Commission further V O T E D: to approve an award of damages in the amount of $240,000.00, together with such damages and costs as required under General Laws, Chapter 79, Section 6, 12, 39 and 44A. Associate Commissioner Settles did not participate in discussion nor vote on this matter.

1. Report of Mr. Gray, April 25, recommending that the Commission adopt an Order of Taking for acquisition of approximately 11.33 acres of land owned by John B. DiPietro, et al, located in the Town West Boylston, Massachusetts, and to approve an award of damages in the amount of $90,000.00, together with such damages and costs as required under General Laws, Chapter 79, Section 6, 12, 39 and 44A. Account No. 2420-8936.
The Commission V O T E D: to adopt an Order of Taking for acquisition of approximately 11.33 acres of land owned by John B. DiPietro, et al, located in the Town West Boylston, Massachusetts.

ORDER OF TAKING
COMMONWEALTH OF MASSACHUSETTS
METROPOLITAN DISTRICT COMMISSION

Boston, May 4, 1995.

ORDERED: That the Metropolitan District Commission by virtue of the power and authority conferred upon it by Chapter 564 of the Acts of 1987, Chapter 36 of the Acts of 1992, and Section 117 of Chapter 92 of the General Laws, and acts in amendment thereof or in addition thereto and every other power and authority hereto enabling, for the purposes of said acts and provisions, does hereby order the taking of and does hereby take in fee for watershed preservation, protection and operation purposes, under the provisions of Chapter 79 of the General Laws, in the name and behalf of the Commonwealth of Massachusetts, the following described land situated in the Town of West Boylston in the County of Worcester and Commonwealth of Massachusetts, namely:

A certain parcel of land lying off of the westerly side of Campground Road, on a cul-de-sac street known as Buttercup Lane, in the said Town of West Boylston, more particularly bounded and described as follows:

Beginning at the northeast "corner" of the parcel being described, at a concrete monument set at the southeasterly corner of a lot, now or formerly, of Raymond T. & Katherine L. Cardogno, being also a point on Buttercup Lane, said point lying approximately 350 feet westerly of the westerly sideline of the Worcester County Highway Layout of Campground Road;

Thence S. 77° 50′ 11" W., by Buttercup Lane, a distance of 28.73 feet, to another concrete monument set at a point of curvature;

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Thence By Buttercup Lane, and a curve with a radius of 60 feet, an arc distance of 145.82 feet to a point at other land, now or formerly, of Anna C. & John B. Dipietro, shown as "Lot 3 Rev." upon a plan referenced at the conclusion of this description;

Thence N. 86° 17′ 41" W., a distance of 127.03 feet, to the northwesterly corner of "Lot 3";

Thence S. 21° 18′ 24" W., a distance of 222.27 feet, to the southwesterly corner of "Lot 3";

Thence On the same bearing, and by Parcel "C", other land, now or formerly, of Anna C. Dipietro and John C. Dipietro, a distance of 30.00 feet;

Thence S. 68° 41′ 36" E., a distance of 120.00 feet, to the southeasterly corner of "Lot 3", and land, now or formerly, of Michael F. & Sharon Pavone;

Thence S. 21° 18′ 24" W. a distance of 148.21 feet, to a point on a stone wall, and at land, now or formerly, of James E. Simpson, this course being by land, now or formerly, of Pavone;

Thence N. 83° 51′ 56" W., by the stone wall, a distance of 51.29 feet to a drill hole found, at land, now or formerly, of Robert H. Gallo, this course being by land, now or formerly, of Simpson;

Thence N. 83° 39′ 16" W., by the wall, a distance of 188.97 feet to another drill hole found, at land, now or formerly, of Carmello & Linda Ann Isgro, this course being by land, now or formerly of Gallo;

Thence N. 84° 10′ 34" W., by the wall, a distance of 229.11 feet to another drill hole found;

Thence N. 83° 37′ 19" W., by the wall, a distance of 175.68 feet to a point;

Thence N. 82° 49′ 21" W., by the wall, a distance of 171.29 feet, to another drill hole found;

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Thence N. 82° 49′ 21" W., by the wall, a distance of 168.71 feet to a drill hole found at the southwesterly corner of the parcel being described, and at land, now or formerly, of William, Jr. & Joan Italiano and, now or formerly, of Charles Dipietro, the last four courses being by land, now or formerly, of Isgro;

Thence N. 14° 34′ 24" E. a distance of 498.83 feet to the northwesterly corner of the parcel being described;

Thence S. 86° 17′ 41" E., a distance of 800.00 feet to a point at the southwesterly corner of land, now or formerly, of Raymond T. & Katherine L. Cardogno, the last two courses being by land, now or formerly, of Charles Dipietro;

Thence S. 86° 17′ 41" E., a distance of 260.00 feet to the first mentioned concrete monument, being the point and place of beginning, this course being by land, now or formerly, of Cardogno.

Containing 11.33 acres as shown as Parcel "B" and Lot 4, upon a plan entitled " Plan of Property Surveyed for John B. & Anna C. Dipietro, Campground Road, West Boylston Massachusetts", prepared by Central Mass. Land Survey, Inc., dated February 1995, which plan shall be recorded with the Worcester District Registry of Deeds and made a part of this order, at a later date.

Meaning and intending to take hereby the above premises, howsoever the same may be bounded and described, and including any and all fee interest in Buttercup Lane which may be held by the supposed owners, as a result of their ownership of the parcel above described, and being a portion of the same premises described in a deed from Anna C. Dipietro to Anna C. Dipietro and John B. Dipietro, as Joint Tenants, dated August 12, 1992 and recorded with Worcester District Registry of Deeds at Book 14536, Page 145.

The above described property is further identified by reference to West Boylston Assessors Plans. This parcel is represented as the major portion of Parcel 15, on Map 114.

AND IN LIKE MANNER, for the same purposes and by virtue of the same powers, the said Metropolitan District Commission does hereby order the taking of and does hereby take in the name and for the benefit of the Commonwealth of Massachusetts, for the purposes of said acts and provisions, all trees on said land and structures affixed to said land, with the exception of the poles, wires, cables, conduits, pipes and their appurtenances, for the conveyance of water, sewage, steam, gas and electricity, and for the transmission of telephone and telegraph communications and data or signals by electrical or electronic or electromagnetic means of any kind, now lawfully in or upon said land, and excluding all easements of record on, over, under, across and through said land.

The Commission awards damages sustained by the supposed owners of the land hereinabove mentioned by reason of said taking, in the following sums:

OWNERS	AWARD
Anna C. Dipietro John B. Dipietro	$ 90,000.00

The Commission further V O T E D: to approve an award of damages in the amount of $90,000.00, together with such damages and costs as required under General Laws, Chapter 79, Section 6, 12, 39 and 44A.

1. Report of Mr. Gray, April 25, recommending that the Commission adopt an Order of Taking for acquisition of approximately 80.211 acres of land owned by Beatrice Munroe Riley a/k/a Beatrice M. Riley, located in the Town Barre, Massachusetts, and to approve an award of damages in the amount of $124,000.00, together with such damages and costs as required under General Laws, Chapter 79, Section 6, 12, 39 and 44A. Account No. 2420-8936.
The Commission V O T E D: to adopt an Order of Taking for acquisition of approximately 80.211 acres of land owned by Beatrice Munroe Riley a/k/a Beatrice M. Riley, located in the Town Barre, Massachusetts.

ORDER OF TAKING
COMMONWEALTH OF MASSACHUSETTS
METROPOLITAN DISTRICT COMMISSION

Boston, May 4, 1995.

ORDERED: That the Metropolitan District Commission by virtue of the power and authority conferred upon it by Chapter 564 of the Acts of 1987, Chapter 36 of the Acts of 1992, and Section 117 of Chapter 92 of the General Laws, and acts in amendment thereof or in addition thereto and every other power and authority hereto enabling, for the purposes of said acts and provisions, does hereby order the taking of and does hereby take in fee for watershed preservation, protection and operation purposes, under the provisions of Chapter 79 of the General Laws, in the name and behalf of the Commonwealth of Massachusetts, the following described land situated in the Town of Barre in the County of Worcester and Commonwealth of Massachusetts, namely:

A certain parcel of land lying easterly and off of Sunrise Avenue and Everett Road, northerly of Hubbardston Road, westerly of Gilbert Road and the Ware River Branch of the Boston and Albany Railroad, and southerly of Farrington Road in the said Town of Barre, in the County of Worcester, more particularly bounded and described as follows:

Beginning at the northernmost point of the parcel being described, at a stone bound set by the former Metropolitan District Water Supply Commission, at a corner of stone walls and property formerly of Paul C. Rockwood, now of the Commonwealth of Massachusetts, said bound being identified as bound # 106 as shown upon a plan entitled "Commonwealth of Massachusetts, Metropolitan District Water Supply Commission, Ware River Watershed, Land in Town of Barre, Plan No. W-7 of Land Takings Under Chapter 375, Acts of 1926", dated March 24, 1926, as recorded with the Worcester District Registry of Deeds as Plan 14, in Plan Book 117;

Thence S. 41° 21′ 41" E., by the stone wall, a distance of 304.17 feet to an iron pin at point # 105, as referenced above;

Thence S. 46° 40′ 11" E., by the stone wall, and wall segments, a distance of 2,765.15 feet to a corner of stone walls and stone bound # 104 found therein;

Thence S. 53° 57′ 46" W., by and through the stone wall, a distance of 584.86 feet, to stone bound # 103 found at the end of another stone wall;

Thence S. 29° 42′ 49" E., by the wall, a distance of 456.46 feet to another corner of walls and stone bound # 102;

Thence S. 52° 01′ 49" W., by the wall, a distance of 412.79 feet, to a point lying 18.99 feet northeasterly of stone bound # 101, the last five courses being by lands formerly held by Paul C. Rockwood, Robert S. Sturtevant, Ashton D. Clark, and Chaffee Brothers Company, all now held by the Commomwealth of Massachusetts;

Thence N. 61° 54′ 29" W., by the stone wall and crossing the gap, a distance of 232.09 feet to a point at a junction of walls;

Thence N. 75° 35′ 52" W., by the stone wall, a distance of 416.09 feet to a copper pipe set in corner of walls;

Thence N. 18° 33′ 57" E., by the stone wall, a distance of 376.37 feet, to another copper pipe set at another corner of walls;

Thence N. 69° 29′ 58" W., by the wall, a distance of 373.96 feet to a point;

Thence N. 54° 17′ 37" W., exiting the wall and crossing the gap to a point at the end of the adjoining wall, a distance of 42.13 feet;

Thence N. 40° 11′ 28" W., by the stone wall, a distance of 322.70 feet to a copper pipe set at a point of intersection with another wall;

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Thence S. 67° 49′ 48" W., by the wall, a distance of 230.26 feet to another copper pipe set at a corner of walls;

Thence N. 35° 11′ 39" W., by the stone wall, a distance of 287.35 feet, to a copper pipe set at a junction with another wall;

Thence N. 51° 48′ 32" E., by the wall, a distance of 72.58 feet, to a copper pipe set at a point of junction with another stone wall running perpendicular to the first;

Thence N. 32° 09′ 06" W., by the wall, a distance of 920.18 feet to a copper pipe set at a point of intersection with another wall;

Thence N. 60° 45′ 59" E., by the wall, a distance of 186.32 feet to a copper pipe set at the point of intersection with another wall;

Thence N. 45° 48′ 31" W., a distance of 216.27 feet, to a copper pipe set at a corner of walls;

Thence N. 45° 48′ 31" W., a distance of 577.91 feet, crossing the field to a copper pipe set, at land, formerly of Rockwood, now of the Commonwealth, the last thirteen courses being by other land, now or formerly, of Riley;

Thence N. 51° 02′ 37" E., entering and running by the stone wall, a distance of 827.83 feet to stone bound # 106, being the point and place of beginning, this last course being by land now of the Commonwealth, formerly of Rockwood.

Containing 80.211 acres as shown upon a plan entitled " Plan of Land In Barre, Massachusetts, Prepared For Mount Grace Land Conservation Trust", dated December 29, 1994, and drawn by Peter G. Knowles, Professional Land Surveyor, Union Street, Barre, Massachusetts, which plan shall be recorded with the Worcester District Registry of Deeds and made a part of this order, at a later date.

Meaning and intending to take hereby the above premises, howsoever the same may be bounded and described, being a portion of the same premises described in a deed from Robert S. Sturtevant to Charles Scott Riley and Beatrice Munroe Riley, dated June 1, 1945 and recorded with the Worcester District Registry of Deeds at Book 2955, Page 594, and all of the premises described in a deed from Ralph W. Harwood to Beatrice M. Riley, dated August 24, 1979 and recorded with said Deeds at Book 6815, Page 115.

The above described property is further identified by reference to the Barre Assessors Plans. The lands being taken are represented as Lot 74 and portions of Lots 73 and 75 on Sheet F of said plans.

AND IN LIKE MANNER, for the same purposes and by virtue of the same powers, the said Metropolitan District Commission does hereby order the taking of and does hereby take in the name and for the benefit of the Commonwealth of Massachusetts, for the purposes of said acts and provisions, all trees on said land and structures affixed to said land, with the exception of the poles, wires, cables, conduits, pipes and their appurtenances, for the conveyance of water, sewage, steam, gas and electricity, and for the transmission of telephone and telegraph communications and data or signals by electrical or electronic or electromagnetic means of any kind, now lawfully in or upon said land, and excluding all easements of record on, over, under, across and through said land.

The Commission awards damages sustained by the supposed owner of the land hereinabove mentioned by reason of said taking, in the following sum:

OWNER	AWARD
Beatrice Munroe Riley a/k/a Beatrice M. Riley	$ 124,000.00

The Commission further V O T E D: to approve an award of damages in the amount of $124,000.00, together with such damages and costs as required under General Laws, Chapter 79, Section 6, 12, 39 and 44A.

1. Report of Mr. Gray, April 25, recommending that the Commission adopt an Order of Taking for acquisition of approximately 45.318 acres of land owned by John V. Blanchard, located in the Town Sterling, Massachusetts, and to approve an award of damages in the amount of $1,056,000.00, together with such damages and costs as required under General Laws, Chapter 79, Section 6, 12, 39 and 44A. Account No. 2420-8936.
The Commission V O T E D: to adopt an Order of Taking for acquisition of approximately 45.318 acres of land owned by John V. Blanchard, located in the Town Sterling, Massachusetts.

ORDER OF TAKING
COMMONWEALTH OF MASSACHUSETTS
METROPOLITAN DISTRICT COMMISSION

Boston, May 4, 1995.

ORDERED: That the Metropolitan District Commission by virtue of the power and authority conferred upon it by Chapter 564 of the Acts of 1987, Chapter 36 of the Acts of 1992, and Section 117 of Chapter 92 of the General Laws, and acts in amendment thereof or in addition thereto and every other power and authority hereto enabling, for the purposes of said acts and provisions, does hereby order the taking of and does hereby take in fee for watershed preservation, protection and operation purposes, under the provisions of Chapter 79 of the General Laws, in the name and behalf of the Commonwealth of Massachusetts, the following described land situated in the Town of Sterling in the County of Worcester and Commonwealth of Massachusetts, namely:

Two certain parcels of land lying on Justice Hill Road (a.k.a. Rowley Hill Road), the first lying between Justice Hill Road and Upper North Row Road at their intersection, and the second lying on the westerly side of Justice Hill Road, across that road from the first, in the said Town of Sterling, more particularly bounded and described as follows:

Parcel 1

Beginning at a drill hole set at the end of a stone wall on the soutwesterly side of Upper North Row Road, at its intersection with Justice Hill Road a.k.a. Rowley Hill Road;

Thence S. 47° 40′ 59" E., by the stone wall, a distance of 131.10 feet, to a drill hole set;

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Thence S. 48° 30′ 11" E., crossing a gap in the wall, and running by the stone wall, a distance of 157.50 feet, to another drill hole set at the end of the wall segment;

Thence S. 54° 29′ 04" E., crossing a gap in the wall and running by its continuation, a distance of 242.81 feet, to a drill hole set at the end of the wall segment;

Thence S. 51° 18′ 07" E., by the road and crossing another gap in the stone wall, a distance of 41.88 feet, to a drill hole set in the end of another wall segment;

Thence S. 54° 18′ 31" E., by the road and the wall, a distance of 84.25 feet, to a drill hole set;

Thence S. 53° 25′ 41" E., by the wall, a distance of 42.11 feet, to a drill hole set at a corner of stone walls;

Thence S. 47° 20′ 20" E., by the wall, a distance of 109.03 feet to another drill hole set at the end of the wall segment;

Thence S. 47° 14′ 30" E., by the road and crossing the gap in the stone wall, a distance of 129.90 feet, to a drill hole set in the end of the succeeding wall segment;

Thence S. 45° 52′ 40" E., by the wall, a distance of 30.76 feet, to another drill hole set;

Thence S. 38° 59′ 57" E., by the stone wall, a distance of 319.15 feet to a stake and tack set at a corner of stone walls;

Thence S. 13° 21′ 38" E., by the wall, adistance of 60.77 feet, to an x-cut in a boulder set at the end of the wall segment;

Thence S. 25° 33′ 28" E., by the road, a distance of 176.90 feet, to the southeasterly corner of the property being described, and land, now or formerly, of Richard P. Gadilauskas & Nancy E. Brady, the last eleven courses being by the southwesterly side of Upper North Row Road;

Thence S. 68° 08′ 52" W. a distance of 468.61 feet, entering and running by a stone wall, to a point;

Thence S. 68° 32′ 19" W., by the stone wall, a distance of 183.88 feet, to a point;

Thence S. 68° 07′ 32" W., by the wall, a distance of 107.38 feet, to a point;

Thence S. 66° 44′ 47" W., by the stone wall, a distance of 170.06 feet, to a drill hole found at the end of the wall;

Thence On the same bearing, a distance of 33.84 feet to a point on the easterly layout line of Justice Hill Road (a.k.a. Rowley Hill Road), a 1932 Worcester County Layout, the last five courses being by land, now or formerly, of Gadilauskas & Brady;

Thence Northerly by a curve, and the easterly layout line of Justice Hill Road, a distance of 579.78 feet, to a point, lying S. 31° 18′ 41" W. a distance of 1.07 feet from a Worcester County Highway Bound found;

Thence N. 10° 12′ 10" W., by the highway layout, a distance of 858.25 feet to a Worcester County Highway Bound found near the intersection of the two roads;

Thence N. 59° 47′ 50" E., running at the intersection, toward Upper North Row Road, a distance of 58.96 feet, to a point, lying S. 46° 55′ 57" W. a distance of 0.29 feet from a Worcester County Highway bound found;

Thence N. 44° 47′ 50" E., a distance of 3.08 feet along the intersection, to the drill hole at the end of a stone wall first mentioned, being the point and place of beginning.

Containing 775,912 square feet, or 17.895 acres in total (fifteen building lots), as shown upon a subdivision survey plan entitled "Plan Of Land - Located in - Sterling, Massachusetts - Owned Now Or Formerly By - John B. Blanchard, dated June 1994, and prepared by Finley Engineering Services 3 Hobson Avenue Worcester, MA., which plan shall be recorded with Worcester District Registry of Deeds, and made a part of this order.

Parcel 2

Beginning at an iron pin set at the end of a stone wall, at land, now or formerly, of Davis Farm Realty Trust, and a point on the westerly layout line of Justice Hill Road (a.k.a. Rowley Hill Road) a 1932 Worcester County Highway Layout, said point lying 183.79 feet northerly, as measured along a curve, from a Worcester County Highway Bound found at Station 186+76.10 on said layout;

Thence S. 68° 46′ 53" W., by the stone wall, a distance of 609.44 feet to another iron pin set at the end of the wall;

Thence On the same bearing, a distance of 683.14 feet to an iron pin set at the southwesterly corner of the property being described;

Thence N. 14° 29′ 57" W., a distance of 592.70 feet to another iron pin set;

Thence On the same bearing, a distance of 230.28 feet, entering and running by a stone wall to a corner of walls, at land, now or formerly, of one Moorhead, the last four courses being by land, now or formerly, of Davis Farm Realty Trust;

Thence N. 52° 00′ 03" E., by the stone wall, and land, now or formerly, of Moorhead, a distance of 224.92 feet to a point;

Thence N. 52° 44 46" E., still by the wall, a distance of 455.21 feet, to a corner of stone walls, this course being by land, now or formerly, of Moorhead, Barter, and Rainvellen respectively;

Thence S. 20° 28′ 57" E., by the wall and land, now or formerly, of Rainvellen, a distance of 184.17 feet, to another corner of walls;

Thence N. 71° 35′ 17" E., by the wall and land, now or formerly, of Rainvellen, Alunni, Carver, Colonial Concepts, and T.D. Realty Trust, respectively, a distance of 794.66 feet, to the end of the wall, and a point on the westerly layout line of Justice Hill Road;

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Thence S. 10° 12′ 10" E., by the highway, a distance of 200.00 feet, to an iron pin set;

Thence On the same bearing, and by the highway, a distance of 18.57 feet, to a point of curvature;

Thence By the highway and a curve with a radius of 1970.00 feet, a distance of 181.43 feet, to another iron pin set;

Thence Continuing by the curve of the highway, as referenced above, a distance of 200.00 feet, to another iron pin set;

Thence Still by the curve of the highway, a distance of 227.50 feet to the first mentioned iron pin at the end of the wall, being the point and place of beginning.

Containing 27.423 acres in total (four building lots) as shown upon a subdivision survey plan entitled "Plan of Land - in - Sterling, Massachusetts - Prepared for; John Blanchard - Worcester County Probate # 184951", dated April 9, 1989, and prepared by Spoffard Engineering, Scenic Drive, Holden, MA., which plan shall be recordedd with Worcester District Registry of Deeds, and made a part of this order.

Parcels 1 and 2 as above described, contain, according to the referenced plans, a total of 35.318 acres in total.

Meaning and intending to take hereby the above premises, howsoever the same may be bounded and described, and including any and all fee interest in Upper North Row Road and/or Justice Hill Road (a.k.a. Rowley Hill Road) which may be held by the supposed owner, both lots as above described, being portions of the same premises demised to John V. Blanchard, as devisee u/t/w of Louis Blanchard, Worcester Probate Court Docket # 184951.

Parcels 1 and 2 are further identified by reference to Sterling Assessors Plans. Parcel 1 is represented as Lot 22 on Sheet 31, and Parcel 2 is represented as Lot 2 on Sheet 31.

AND IN LIKE MANNER, for the same purposes and by virtue of the same powers, the said Metropolitan District Commission does hereby order the taking of and does hereby take in the name and for the benefit of the Commonwealth of Massachusetts, for the purposes of said acts and provisions, all trees on said land and structures affixed to said land, with the exception of the poles, wires, cables, conduits, pipes and their appurtenances, for the conveyance of water, sewage, steam, gas and electricity, and for the transmission of telephone and telegraph communications and data or signals by electrical or electronic or electromagnetic means of any kind, now lawfully in or upon said land, and excluding all easements of record on, over, under, across and through said land.

The Commission awards damages sustained by the supposed owner of the land hereinabove mentioned by reason of said taking, in the following sum:

OWNER	AWARD
John V. Blanchard	$ 1,056,000.00

The Commission further V O T E D: to approve an award of damages in the amount of $1,056,000.00, together with such damages and costs as required under General Laws, Chapter 79, Section 6, 12, 39 and 44A.

1. Report of Mr. Gray, April 25, recommending that the Commission adopt an Order of Taking for acquisition of approximately 144.1205 acres of land owned by John V. Blanchard, located in the Town Sterling, Massachusetts, and to approve an award of damages in the amount of $1,595,00.00, together with such damages and costs as required under General Laws, Chapter 79, Section 6, 12, 39 and 44A. Account No. 2420-8936.
The Commission V O T E D: to adopt an Order of Taking for acquisition of approximately 144.1205 acres of land owned by John V. Blanchard, located in the Town Sterling, Massachusetts.

ORDER OF TAKING
COMMONWEALTH OF MASSACHUSETTS
METROPOLITAN DISTRICT COMMISSION

Boston, May 4, 1995.

ORDERED: That the Metropolitan District Commission by virtue of the power and authority conferred upon it by Chapter 564 of the Acts of 1987, Chapter 36 of the Acts of 1992, and Section 117 of Chapter 92 of the General Laws, and acts in amendment thereof or in addition thereto and every other power and authority hereto enabling, for the purposes of said acts and provisions, does hereby order the taking of and does hereby take in fee for watershed preservation, protection and operation purposes, under the provisions of Chapter 79 of the General Laws, in the name and behalf of the Commonwealth of Massachusetts, the following described land situated in the Town of Sterling in the County of Worcester and Commonwealth of Massachusetts, namely:

A certain parcel of land lying on the easterly side of Justice Hill Road, in said Town of Sterling and County of Worcester, more particularly bounded and described as follows:

Beginning at a point on the westerly sideline of Justice Hill Road, at the end of a stone wall and land, now or formerly, of Thomas Lanciani, said point being located 254.07 feet southeasterly of a Worcester County Highway Bound, as measured by the curving layout line of the highway;

Thence S. 65° 10′ 08" W., by the stone wall, a distance of 772.93 feet, to a drill hole set;

Thence S. 65° 53′ 44" W., by the wall, a distance of 389.78 feet, to another drill hole set;

Thence S. 66° 02′ 43" W., by the wall, a distance of 171.73 feet, to a point;

Thence S. 64° 39′ 09" W., by the wall, a distance of 138.40 feet to a drill hole set at a corner of stone walls;

Thence S. 39° 31′ 42" E., by the stone wall, a distance of 593.84 feet to a point;

Thence S. 38° 14′ 40" E., by the wall, a distance of 286.27 feet, to a point;

Thence S. 38° 54′ 00" E., still by the wall, a distance of 711.42 feet, to a point;

Thence S. 41° 50′ 48" E., by the stone wall, a distance of 202.69 feet, to a corner, at land, now or formerly, of Nickerson, the last eight courses being by land, now or formerly, of Lanciani;

Thence S. 31° 12′ 38" W., by land, now or formerly of Robert L. Jr. & Kathleen Nickerson, a distance of 685.91 feet, crossing a 16.5 AT&T easement, and running to an iron pipe found at land, now or formerly, of John S. & Phyllis L. George;

Thence S. 76° 34′ 14" W. a distance of 581.92 feet to a point at the end of a stone wall;

Thence N. 62° 03′ 45" W., by the wall, a distance of 240.62 feet, to a drill hole set;

Thence N. 68° 45′ 37" W., by the wall, a distance of 159.17 feet to a point;

Thence N. 75° 37′ 55" W., by the wall, a distance of 89.54 feet, to a drill hole set;

Thence N. 77° 10′ 50" W., by the wall, a distance of 376.23 feet, to a corner of walls, the last five courses being by land, now or formerly, of George;

Thence N. 77° 11′ 17 W., by land, now or formerly, of George and land, now or formerly, of Henry F. & Marion Hulick, a distance of 841.22 feet to a corner at a point on a stone wall, at land, now or formerly, of Marion Hulick;

Thence N. 48° 52′ 11" E., by the wall, a distance of 132.00 feet, to a drill hole set at a bend in the wall;

Thence N. 18° 42′ 56" E., by the stone wall, a distance of 729.62 feet to a drill hole set at an angle in the wall;

Thence N. 24° 14′ 14" W., by the stone wall, crossing a N.E.P.CO. easement and running a distance of 767.93 feet to a point on the wall;

Thence N. 23° 37′ 14" W., by the wall, a distance of 715.64 feet to a drill hole set at a corner of walls, at land, now or formerly, of Davis Farm Trust, the last four courses being by land, now or formerly, of Marion Hulick;

Thence N. 66° 17′ 49" E., by the wall, a distance of 115.50 feet to a point;

Thence S. 70° 40′ 23" E., a distance of 1112.98 feet, intersecting and running partially by a stone wall forming an acute angle to this course, to a drill hole set at a corner of stone walls;

Thence N. 48° 03′ 09" E., by the stone wall, and recrossing the AT&T easement, a distance of 316.57 feet, to a drill hole found at a corner of stone walls;

Thence N. 24° 55′ 02" W., by the wall, a distance of 304.75 feet, to a point on the wall;

Thence N. 23° 04′ 52" W., by the wall, a distance of 358.65 feet, to a drill hole set at a corner of walls;

Thence N. 19° 47′ 38" E., by the stone wall, a distance of 862.12 feet, to a drill hole set;

Thence N. 20° 25′ 41" E., by the wall, a distance of 341.00 feet, to a drill hole set at a corner of walls;

Thence S. 63° 17′ 44" E., by the wall, a distance of 527.45 feet, to a drill hole set at a corner of stone walls;

Thence N. 14° 45′ 21" E., by the wall, a distance of 128.04 feet, to a point at or near the end of the wall;

Thence N. 76° 40′ 58" E. a distance of 137.18 feet to a point;

Thence N. 60° 11′ 10" E. a distance of 58.64 feet to a point;

Thence N. 71° 49′ 49" E. a distance of 37.55 feet to a point at the end of a stone wall;

Thence N. 69° 33′ 54" E., by the stone wall, a distance of 236.38 feet, to a drill hole set;

Thence N. 67° 10′ 14" E., by the wall, a distance of 27.14 feet, to another drill hole set;

Thence N. 81° 14′ 10" E., by the wall, a distance of 63.94 feet, to a point on the westerly layout line of Justice Hill Road, the last fifteen courses being by land, now or formerly, of Davis Farm Trust;

Thence S. 03° 22′ 35" E., by the highway, a distance of 399.11 feet to a point at land, formerly of John V. Blanchard, now or formerly, of Sterling Real Estate Development Inc.;

Thence S. 63° 53′ 24" W., a distance of 182.14 feet, to a drill hole found at a corner of stone walls;

Thence On the same bearing, a distance of 327.86 feet, to a point at a corner;

Thence S. 10° 52′ 57" E., a distance of 394.63 feet, to a point on a stone wall, at land formerly of Thomas Lanciani, now or formerly, of Sterling Real Estate Development Inc.;

Thence S. 57° 51′ 56" W., by the wall, a distance of 144.78 feet, to a drill hole found at a corner of stone walls;

Thence S. 22° 55′ 09" E., by the wall, a distance of 245.36 feet, to a point;

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Thence S. 16° 52′ 28" E., by the stone wall, a distance of 128.50 feet, to a point on the wall, lying 56.75 feet northwesterly of a drill hole found at a corner of walls;

Thence S. 78° 38′ 46" E. a distance of 227.03 feet, to a point;

Thence By a curve with a radius of 200.00 feet, a distance of 170.36 feet, toward Justice Hill Road, to a point;

Thence N. 52° 32′ 57" E. a distance of 337.13 feet, to a point on the westerly sideline of Justice Hill Road;

Thence S. 29° 38′ 15" E., by the highway layout, a distance of 50.47 feet, to an iron pin found at the end of a stone wall;

Thence On the same bearing, by the highway layout, a distance of 57.13 feet, to a Worcester County Highway Bound found;

Thence By the Highway and a curve with a radius of 1410.00, a distance of 254.07 feet, to a point at the end of a stone wall, being the point and place of beginning.

Containing 144.1205 acres, more or less, as calculated, based upon the information shown on two plans recorded with the Worcester District Registry of Deeds, the first entitled "Plan of Property - Owned By - John V. Blanchard - Justice Hill Road, Sterling, Massachusetts", prepared by Cullinan Engineering and dated June 27, 1994, recorded as Plan 6 in Plan Book 685, and the second entitled "Plan of Land in - Sterling, Mass. - Prepared For - James Simpson", prepared by Andrysick Land Surveying, Inc., and dated July 27, 1994, recorded as Plan 112 in Plan Book 684.

Meaning and intending to take hereby the above premises, howsoever the same may be bounded and described, and including any and all fee interest in Justice Hill Road which may be held by the supposed owner, and being most of the same premises described in a deed from Vera E. Drury and Lewis F. Drury to John V. Blanchard, dated December 31, 1943 and recorded with Worcester District Registry of Deeds at Book 3018, Page 433, and also all of the premises described in a deed from Sterling Real Estate Development Inc. to John V. Blanchard, dated October 25, 1994 and recorded with said Deeds as Instrument # 124617 of 1994.

The above described property is represented upon Sterling Assessors Plans as all of Parcel 11, most of Parcel 4, and a small portion of Parcel 3 on Map 39.

AND IN LIKE MANNER, for the same purposes and by virtue of the same powers, the said Metropolitan District Commission does hereby order the taking of and does hereby take in the name and for the benefit of the Commonwealth of Massachusetts, for the purposes of said acts and provisions, all trees on said land and structures affixed to said land, with the exception of the poles, wires, cables, conduits, pipes and their appurtenances, for the conveyance of water, sewage, steam, gas and electricity, and for the transmission of telephone and telegraph communications and data or signals by electrical or electronic or electromagnetic means of any kind, now lawfully in or upon said land, and excluding all easements of record on, over, under, across and through said land.

The Commission awards damages sustained by the supposed owner of the land hereinabove mentioned by reason of said taking, in the following sum:

OWNER	AWARD
John V. Blanchard	$ 1,595,000.00

The Commission further V O T E D: to approve an award of damages in the amount of $1,595,00.00, together with such damages and costs as required under General Laws, Chapter 79, Section 6, 12, 39 and 44A.

1. Report of Mr. Gray, April 25, recommending that the Commission adopt an Order of Taking for acquisition of approximately 2.661 acres of land owned by Vitte S. Dayutis, et ux, located in the Town Sterling, Massachusetts, and to approve an award of damages in the amount of $11,000.00, together with such damages and costs as required under General Laws, Chapter 79, Section 6, 12, 39 and 44A. Account No. 2420-8936.
The Commission V O T E D: to adopt an Order of Taking for acquisition of approximately 2.661 acres of land owned by Vitte S. Dayutis, et ux, located in the Town Sterling, Massachusetts.

ORDER OF TAKING
COMMONWEALTH OF MASSACHUSETTS
METROPOLITAN DISTRICT COMMISSION

Boston, May 4, 1995.

ORDERED: That the Metropolitan District Commission by virtue of the power and authority conferred upon it by Chapter 564 of the Acts of 1987, Chapter 36 of the Acts of 1992, and Section 117 of Chapter 92 of the General Laws, and acts in amendment thereof or in addition thereto and every other power and authority hereto enabling, for the purposes of said acts and provisions, does hereby order the taking of and does hereby take in fee for watershed preservation, protection and operation purposes, under the provisions of Chapter 79 of the General Laws, in the name and behalf of the Commonwealth of Massachusetts, the following described land situated in the Town of Sterling in the County of Worcester and Commonwealth of Massachusetts, namely:

A certain parcel of land lying easterly and off of Route 140 - Redemption Rock Trail, near its intersection with Burpee Road, and westerly of but adjoining the Stillwater River, in said Sterling, more particularly bounded and described as follows:

Beginning at a concrete MDC bound set at the northwesterly corner of the parcel being described, at a corner of two lots, now or formerly, of the Town of Sterling, said bound lying approximately 520 feet northeasterly of a gun barrel set on the easterly layout line of Redemption Rock Trail - Route 140, at lands, now or formerly, of Daniel R. and Rhonda M. St. Peters and of Vitte S. and Marjorie R. Dayutis;

Thence S. 12° 15′ 57" W. a distance of 230.75 feet to a concrete MDC bound set;

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Thence S. 12° 15′ 57" W. a distance of 225.00 feet to another concrete MDC bound set at land formerly of Vitte S. and Marjorie R. Dayutis, now of the Commonwealth of Massachusetts, the last two courses being by other land, now or formerly, of Dayutis;

Thence N. 64° 04′ 11" E. a distance of 265 feet, more or less, passing a gun barrel set 199.67 feet from the last mentioned point, and running to the high water line of the Stillwater River, this course being by land formerly of Dayutis, now of the Commomwealth;

Thence Northeasterly and northwesterly, by the high water line of the River, upstream, to a gun barrel found at land, now or formerly, of the Town of Sterling;

Thence N. 46° 20′ 00" W. a distance of 106.92 feet to a stake and stones found at an angle;

Thence S. 74° 40′ 58" W. a distance of 100.96 feet to the concrete MDC bound first mentioned, being the point and place of beginning, the last two courses running by land, now or formerly, of the Town of Sterling.

Containing 2.66 acres, more or less, as shown upon a plan entitled "Land Taking Plan for Watershed Protection in Sterling, Worcester County, MA. Prepared For Commonwealth of Massachusetts, Metropolitan District Commission, Division of Watershed Management", prepared by Berry Engineering, Inc., dated April 19, 1995, which plan shall be recorded with the Worcester District Registry of Deeds and made a part of this order.

Meaning and intending to take hereby the above premises, howsoever the same may be bounded and described, and being a portion of the same premises described in two deeds, the first from Harry T. Buck, Jr. & Roberta M. Buck to Vitte S. Dayutis and Marjorie R. Dayutis, dated April 12, 1974 and recorded with the Worcester District Registry of Deeds at Book 5472, Page 305, and the second from Harry T. Buck, Jr. to Vitte S. Dayutis and Marjorie R. Dayutis, dated August 29, 1978 and recorded with said Deeds at Book 6556, Page 80.

The property is further identified as the rear portion of Parcel A, as shown upon a plan by Berry Engineering Inc. recorded with the Worcester District Registry of Deeds as Plan 118 in Plan Book 678.

The property is depicted on Sterling Assessors Plans as a portion of Lot 14 on Map 51.

AND IN LIKE MANNER, for the same purposes and by virtue of the same powers, the said Metropolitan District Commission does hereby order the taking of and does hereby take in the name and for the benefit of the Commonwealth of Massachusetts, for the purposes of said acts and provisions, all trees on said land and structures affixed to said land, with the exception of the poles, wires, cables, conduits, pipes and their appurtenances, for the conveyance of water, sewage, steam, gas and electricity, and for the transmission of telephone and telegraph communications and data or signals by electrical or electronic or electromagnetic means of any kind, now lawfully in or upon said land, and excluding all easements of record on, over, under, across and through said land.

The Commission awards damages sustained by the supposed owners of the land hereinabove mentioned by reason of said taking, in the following sum:

OWNERS	AWARD
Vitte S. Dayutis Marjorie R. Dayutis	$ 11,000.00

The Commission further V O T E D: to approve an award of damages in the amount of $11,000.00, together with such damages and costs as required under General Laws, Chapter 79, Section 6, 12, 39 and 44A.

The following matter was placed on the agenda for the information of the Commission:

1. The following schedules were approved for payment by the Commissioner during the period from March 1, 1995 to March 31, 1995.

Expenditures $2,500,888.22

Adjourned at 11:40 a.m., to meet on Thursday, May 11, 1995, at 10:00 a.m.

William T. Cusick
Secretary

Record of the Three Thousand Seven Hundred and Twenty Eighth (3728th) meeting of the Metropolitan District Commission duly called and held at 20 Somerest Street, Boston, Massachusetts, on Thursday, May 11, 1995 at 10:00 a.m.

Present, Commissioner Balfour and Associate Commissioners Carr, Elkort, Settles and Wu.

The Records of the Commission Meeting held on April 20, 1995 were read and approved.

The Secretary submitted for signature the following papers which were signed by the Commissioner and four Associate Commissioners:

1. Contract-Agreement, dated May 11, 1995, with Nashua River Watershed Association, for Wachusett Watershed Protection/ Wachusett Task Force Technical Assistance. Contract No. WM95-082-S1A.

2. Contract-Agreement, dated May 11, 1995, with Shawsheen Vocational Technical High School, Billerica, for four Student Participants in an Intern Program.

3. Contract-Agreement, dated May 11, 1995, with Franklin Environmental Services, Inc., for Contaminated Soil Disposal, East Cambridge and Stoneham Central Services Yards. Contract No. P95-1759-C1A.

4. Contract-Agreement, dated May 11, 1995, with University of Massachusetts, to Complete an Inventory of Rare and Endangered Plants on Lands Scheduled for Forest Management and Other Lands Likely to Contain These Species.

The Secretary then submitted for signature the following paper which was signed by the Commissioner and two Associate Commissioners:

5. Contract No. P95-1770-C1A, dated May 11, 1995, with Fleming Brothers, Inc., for Reconstruction of Riverdale Park, Dedham and Toohig Playground, Dorchester.

Action was taken upon the following matters relating to the Engineering and Construction Division:

6. Report of Messrs. Faucher and Arinella, May 1, recommending approval of a revision in quantities on Item No. 001-010, for Diving Services - additional 11 shifts, at an increase of $10,824.00, on Contract No. P93-1691-M1A, with RDA Construction Corp., for Service to Various Underwater Structures at Flood Control/Navigation Sites.
(At no increase in Contract cost as there are sufficient unused quantities in Item No. 002-010 - Materials, to offset the increase).
The Commission V O T E D: Approved.

7. Report of Messrs. Faucher and Jackson, May 2, recommending the

following on Contract No. P95-1797-C1A, for Planting Along Boston Harbor Beaches -
(a) Acceptance of the lowest bid received, that of Popico, Inc., D/B/A/ Holden Farms Nursery, of $310,300.00.
(b) Funding for the Contract be increased from $300,000.00 to $310,300.00.
Account No. 2440-8956.
The Commission V O T E D: to accept the lowest bid received, that of Popico, Inc., D/B/A/ Holden Farms Nursery, of $310,000.00.
The Commission further V O T E D: to approve the increase in funding for the Contract from $300,000.00 to $310,300.00. Account No. 2440-8956.

1. Report of Messrs. Faucher and Jackson, May 2, recommending approval of a revision in quantities on Item No. 000-024 - Turf Rehabilitation - at a cost of $24,000.00, on Contract No. P92-1628-C4A, with Northern Tree Service, Inc., for Parkways Landscape Improvements. Funding from Account No. 2440-8952.
The Commission V O T E D: Approved.

2. Report of Messrs. Faucher and Sacco, May 8, recommending the following on Contract No. P95-1788-C1B, for Critical Repairs to MDC Swimming Pools & Service Buildings, due to a ruling by the Attorney General's Office -
(a) That the Commission vote to rescind its vote of April 6, 1995 awarding Contract No. P95-1788-C1B, for Critical Repairs to MDC Swimming Pools and Service Buildings to Langton & Douglas Contracting, Inc.
(b) That the Commission vote to accept the bid of A & M Roofing and Sheet Metal Co., Inc., in the amount of $546,483.50 and award Contract No. P95-1788-C1B, for Critical Repairs to MDC Swimming Pools & Service Buildings to them.
(c) That the Commission execute the Contract.
Additional funding of $41,788.50 is available in Account No. 2440-8952.
The Commission V O T E D: to rescind its vote of April 6, 1995 awarding Contract No. P95-1788-C1B, for Critical Repairs to MDC Swimming Pools and Service Buildings to Langton & Douglas Contracting, Inc., due to a ruling by the Attorney General's Office.
The Commission further V O T E D: to accept the bid of A & M Roofing and Sheet Metal Co., Inc., in the amount of $546,483.50 and award Contract No. P95-1788-C1B, for Critical Repairs to MDC Swimming Pools & Service Buildings to them.
The Secretary submitted for signature Contract No. P95-1788-C1B, dated May 11, 1995, with A & M Roofing and Sheet Metal Co., Inc., for Critical Repairs to MDC Swimming Pools & Service Buildings to them, which was signed by the Commissioner and four Associate Commissioners.

Action was taken upon the following matter relating to the Watershed Management Division:

1. Report of Messrs. McGinn and Penner, March 20, submitting for approval Work Schedule, Project Summary, Project Justification and requesting authorization to enter into an Inter-Agency Service Agreement with the Resource Mapping Group at the University of Massachusetts, for Contract No. WM95-009-S1A - Land Cover Mapping - 124 Digital Orthophotoquads.
Estimated Cost - $137,000.00.
Estimated Time for Performance - Nine months.
Account No. 2420-1400 (HH).
The Commission V O T E D: Approved.
The Commission further V O T E D: authorization to enter into an Inter-Agency Service Agreement with the Resource Mapping Group at the University of Massachusetts, for Contract No. WM95-009-S1A - Land Cover Mapping - 124 Digital Orthophotoquads.

Action was taken upon the following matter relating to the Reservations and Historical Sites Division:

2. Report of Mr. Broderick, May 5, recommending an increase in the compensation, from $4,200.00 to $23,460.00, on Service Contract with Rutland Sanitation for Delivering and Servicing up to 10 Port-a-Johns, for Georges Island, due to the fact that the water line providing the island with water to service the septic system will not be repaired until mid-June.
Funding from Account No. 2440-0010.
The Commission V O T E D: approved as recommended by Mr. Broderick in his report of May 5, 1995.

Action was taken upon the following matter relating to the Recreational Facilities and Programs Division:

3. Report of Ms. Connolly and Mr. O'Neill, May 5, submitting for approval and execution Agreement with the Publick Theatre, Inc., for the operation of the Publick Theatre, near the Herter Center, Brighton, for the period May 15, 1995 through September 30, 1995.
The Commission V O T E D: Approved.
The Secretary then submitted for signature Agreement, dated May 11, 1995, with the Publick Theatre, Inc., which was signed by the Commissioner and four Associate Commissioners.

Action was taken upon the following matter relating to the Office of Planning:

4. Report of Mrs. O'Brien, April 18, requesting renewal and execution of Contract-Agreements with Messrs. Driscoll and Queeley, for Planning Services Pursuant to Land Acquisition and Master Planning, as follows -
Contract-Agreement with Daniel Driscoll - Total Upset Limit, including $265.00 in expenses, $49,995.85, Account No. 2490-8915 of Chapter 33, Acts of 1991 - Time for Performance - July 1, 1995 through June 30, 1996.
Contract-Agreement with David T. Queeley - Total Upset Limit, including $265.00 in expenses, $49,995.85, Account No. 2490-8915 of Chapter 33, Acts of 1991 - Time for Performance - July 1, 1995 through June 30, 1996.

The Commission V O T E D: Approved.
The Secretary then submitted for signature Contract-Agreements, dated May 11, 1995, with Daniel Driscoll and David T. Queeley, which were signed by the Commissioner and four Associate Commissioners.

Action was taken upon the following Various Matters:

1. Report of Mr. Jewett, May 8, requesting approval of and authorization for Commissioner Balfour to execute, on behalf of the Commission, the following five Contract-Agreements for Open Order Contract No. RP95-0006, Land Survey Services - Middlesex, Suffolk, Norfolk, Essex and Plymouth Counties.
Account No. 2441-9886.
Time for Performance - thirty days.

	VALUE	PARCELS
Alpha Land Surveying & Engineering Associates	$ 8,170.00	2
Cullinan Engineering Co., Inc.	$ 3,400.00	1
DeCelle Engineering & Survey	$ 5,680.00	1
Hayes Engineering, Inc.	$ 5,000.00	1
Surveying & Mapping Consultants, Inc.	$12,000.00	2
Total -	$34,250.00	

The Commission V O T E D: Approved.
The Commission further V O T E D: authorization for Commissioner Balfour to execute, on behalf of the Commission, the above mentioned five Contract-Agreements for Open Order Contract No. RP95-0006, Land Survey Services - Middlesex, Suffolk, Norfolk, Essex and Plymouth Counties.

2. Report of the Concession Selection Committee, May 10, recommending award of the Food Service Concession at the Hatch Memorial Shell, Charles River Esplanade, Boston, to Gerard F. Adomunes, D/B/A Adams Corner, for a period of three (3) years, encompassing the remainder of the 1995 season, plus the entire 1996 and 1997 seasons.
The Commission V O T E D: Held Over.

Action was taken upon the following matters relating to the Office of Real Property:

1. Report of Mr. Gray, May 8, recommending that the Commission adopt an Order of Taking for acquisition of approximately 52.558 acres of land owned by Bruce E. Wetherby, et al, located in the Town of New Salem, Massachusetts, and to approve an award of damages in the amount of $250,000.00, together with such damages and costs as required under General Laws, Chapter 79, Sections 6, 12, 39 and 44A. Account No. 2420-8936.
The Commission V O T E D: to adopt an Order of Taking for acquisition of approximately 52.558 acres of land owned by Bruce E. Wetherby, et al, located in the Town of New Salem, Massachusetts.

ORDER OF TAKING
COMMONWEALTH OF MASSACHUSETTS
METROPOLITAN DISTRICT COMMISSION

Boston, May 11, 1995.

ORDERED: That the Metropolitan District Commission by virtue of the power and authority conferred upon it by Chapter 564 of the Acts of 1987, Chapter 36 of the Acts of 1992, Section 117 of Chapter 92 of the General Laws, and Sections 30, 31 and 32 of Chapter 184 of the General Laws, and acts in amendment thereof or in addition thereto and every other power and authority hereto enabling, for the purposes of said acts and provisions, does hereby order the taking of and does hereby take under the provisions of Chapter 79 of the General Laws, a watershed preservation restriction and conservation easement in perpetuity in the name and for the benefit of the Commonwealth of Massachusetts, in the following described land situated in the Town of New Salem in the County of Franklin and Commonwealth of Massachusetts, namely:

Two parcels of land in New Salem, Franklin County, Massachusetts lying on the northerly side of Route 202 (Daniel Shays Highway), a 1934 Massachusetts State Highway lying on both sides of Shutesbury Road, and 1812 County Layout, and more particularly bounded and described as follows:

Parcel A.

Beginning at an MDC bound lying on the westerly line of Shutesbury Road marking the intersection between land of the grantor and grantee herein, the following ten courses:

N. 57° 04’ 08" W. a distance of 153.69 feet to an MDC bound;

N. 69° 26′ 54" W. a distance of 46.66 feet to an MDC bound;
S. 21° 21′ 58" W. a distance of 88.82 feet to an unmarked point;
S. 40° 04′ 38" W. a distance of 199.40 feet to an unmarked point;
S. 75° 46′ 41" W. a distance of 237.60 feet to an unmarked point;
S. 71° 41′ 46" W. a distance of 108.32 feet to an MDC bound;
N. 82° 56′ 38" W. a distance of 378.37 feet to an MDC bound with stone pile;
N. 73° 31′ 05" W. a distance of 396.63 feet to an MDC bound;
N. 04° 52′ 30" E. a distance of 1,358.02 feet to an MDC bound;
S. 86° 20′ 25" E. a distance of 519.88 feet to and MDC bound;

THENCE the following seven courses along land now or formerly of Richard and Elaine Klement:

S. 85° 17′ 48′ E a distance of 191.79 feet to a concrete bound set;
N. 20° 59′ 32" E. a distance of 54.40 feet to an unmarked point;
N. 08° 00" 34" E a distance of 21.15 feet to a concrete bound set;
S. 88° 42′ 36" E. a distance of 99.65 feet to an unmarked point;
N. 83° 14′ 29" E. a distance of 155.25 feet to an unmarked point;
N. 86° 33′ 43" E. a distance of 113.64 feet to a concrete bound set;
N. 85° 58′ 04" E. a distance of 190.38 feet to a concrete bound set;

THENCE the following two courses along land now or formerly of Charles and Clare Klement:

S. 34° 19′ 20" E. a distance of 176.92 feet to an unmarked point;
S. 30° 31′ 59" E. a distance of 260.40 feet to a concrete bound set;

THENCE the following two courses along land of said Wetherby:

S. 25° 34′ 17" W. a distance of 517.16 feet to a concrete bound set;

S. 46° 17′ 07" E. a distance of 215.54 feet to a concrete bound set in the westerly line of Shutesbury Road;

THENCE the following three courses being along the westerly line of Shutesbury Road:

S. 25° 18′ 40" W. a distance of 126.72 feet to an unmarked point;
S. 13° 23′ 50" W. a distance of 106.88 feet to an unmarked point;
S. 18° 13′ 44" W. a distance of 218.00 feet to the point of beginning;

The parcel described above contains 48.257 acres.

Parcel B.

Beginning at an unmarked point marking the intersection of Shutesbury Road and Route 202 said point being S. 58° 12′ 20" W. at a distance of 46.20 feet, then southerly on a curve to the left of radius 1,870.08 feet with and arc length of 27.80 feet, then S. 20° 50′50" W. at a distance 138.52 feet from the MDC bound at the point of beginning in the description of Parcel A above:

THENCE the following six courses along land now or formerly of Dorothy C. Putnam:

S. 39° 41′ 32" E. a distance of 30.08 feet to an unmarked point;
S. 13° 37′ 59" E. a distance of 30.23 feet to a concrete bound set;
S. 41° 58′ 59" W. a distance of 99.79 feet to an unmarked point;
S. 54° 42′ 44" W. a distance of 59.25 feet to an unmarked point;
S. 66° 17′ 04" W. a distance of 97.48 feet to a concrete bound set;
S. 05° 21′ 01" W. a distance of 144.77 feet to a concrete bound set in the northerly line of Route 202;

THENCE along the northerly line of Route 202 the following four courses:

S. 58° 12′ 29" W. a distance of 510.43 feet to a MA highway bound;
N. 59° 19′ 12" W. a distance of 47.10 feet to a MA highway bound;
S. 26° 44" 07" W. a distance of 80.00 feet to an unmarked point;

S. 58° 12′ 29" W. a distance of 2.80 feet to the unmarked point at the intersection Route 202 with Shutesbury Road;

THENCE the following eight courses along the easterly and southerly line of Shutesbury Road:

N. 19° 47′ 24" E. a distance of 83.02 feet to an unmarked point;
N. 17° 16′ 58" E. a distance of 322.05 feet to an unmarked point;
N. 22° 32′ 08" E. distance of 131.01 feet to an unmarked point;
N. 44° 56′ 57" E. a distance of 90.61 feet to an unmarked point;
N. 75° 08′ 20" E. a distance of 79.13 feet to an unmarked point;
N. 86° 40′ 24" E. a distance of 103.62 feet to an unmarked point;
N. 79° 38′ 09" E. a distance of 167.07 feet to an unmarked point;
N. 74° 00′ 32" E. a distance of 126.87 feet to the point of beginning.

The parcel described above contains 4.301 acres.

For further reference, Parcel A is shown as the major portion of Parcel 1, Map 404, and Parcel B is shown as Parcel 16, Map 405, on the Assessor's Maps for the Town of New Salem.

These parcels are land described in Book 1844 at Page 28 and are more completely shown as A and B on plan entitled "Commonwealth of Massachusetts Metropolitan District Commission Division of Watershed Management, New Salem (Franklin County) MA Land Taking for Watershed Protection" dated May 26, 1993, from the office of C.T. Male Associates, P.C., which plan shall be recorded either with this document or at a later date with the Franklin County Registry of Deeds and made a part of this order.

The aforementioned parcels are supposed to be owned by the following owners:

OWNERS	RESTRICTION AREA TAKEN
Bruce E. Wetherby and Linda E. Wetherby	52.558 acres

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Meaning and intending to take hereby a watershed preservation restriction and conservation easement in, on and to the above premises, howsoever the same may be bounded and described.

AND IN LIKE MANNER, for the same purposes and by virtue of the same powers, the said Metropolitan District Commission does hereby order the taking of and does hereby take in the name and for the benefit of the Commonwealth of Massachusetts, for the purposes of said acts and provisions, all such rights, including easements, privileges and appurtenances of every name and nature as may be necessary to give full force, virtue and effect, in perpetuity, to the following restrictions on the use of the parcels of land hereinabove described.

1. No construction or placing of buildings or structures or parts thereof, utilities or utility delivery systems, or roads, or portions thereof, shall be permitted on said premises; except for the maintenance, renovation, reconstruction and replacement of any and all utilities or utility systems now now legally on, in, over or through said premises, including the water line shown on said plan as crossing said Parcel B, or any such utilities or utility systems required to maintain and improve the remaining land of said owners.

2. No septic systems or leach fields shall be permitted.

3. No excavation, dredging or removal of loam, peat, gravel, soil, rock or other mineral substance shall be permitted, except as needed to maintain the land.

4. No storage, stockpiling, or use of hazardous materials, petroleum products, pesticides and herbicides, manure and fertilizers, shall be permitted.

5. No tillage.

6. No grazing or sheltering of livestock or animals shall be permitted.

7. No commercial or public recreational use shall be permitted, and no motorized or vehicular recreational use by the landowners shall be permitted.

8. No commercial timber harvesting or tree cutting shall be permitted, unless such harvesting or cutting is in compliance with the Massachusetts Forest Cutting Practices Act (M.G.L. c. 132, as amended), and MDC Best Management Practices for Forest Management.

9. No other acts or uses detrimental to such watershed, as determined by the duly authorized representatives of said Commission, its successors or assigns or such other authority which shall for any time legally control or hold said restriction and easement.

10. Haying and maple sugaring are permitted uses on said premises. Gardening is permitted but only on that northerly portion of Parcel B which lies northerly of the stone wall and the brook as shown on said plan.

The watershed preservation restriction and conservation easement hereby taken, grants the Commission, its successors and assigns, the right to enter upon the land hereinabove described at any time for the purpose of inspecting said land and enforcing the foregoing restrictions and remedying any violations of same, but does not grant the public any such rights. This right shall be in addition to any other remedies available to the Commission, its successors, assigns or other authority, for the enforcement of the foregoing restrictions and the remedying of any violations of same.

All other customary rights and privileges of ownership shall be retained by the owners, including the right to privacy.

The Commission awards damages sustained by the owners of the land hereinabove mentioned by reason of said taking, in the following sums:

OWNERS	AWARD
Bruce E. Wetherby and Linda E. Wetherby	$ 250,000.00

The Commission further V O T E D: to approve an award of damages in the amount of $250,000.00, together with such damages and costs as required under General Laws, Chapter 79, Sections 6, 12, 39 and 44A.

1. Report of Mr. Gray, May 8, recommending that the Commission adopt an Order of Taking for acquisition of approximately 24 acres of land owned by Wallace E. Baldarelli, et al, Trustees, located in the Town of West Boylston, Massachusetts, and to approve an award of damages in the amount of $250,000.00, together with such damages and costs as required under General Laws, Chapter 79, Sections 6, 12, 39 and 44A.
Account No. 2420-8936.
The Commission V O T E D: to adopt an Order of Taking for acquisition of approximately 24 acres of land owned by Wallace E. Baldarelli, et al, Trustees, located in the Town of West Boylston, Massachusetts.

ORDER OF TAKING
COMMONWEALTH OF MASSACHUSETTS
METROPOLITAN DISTRICT COMMISSION

Boston, May 11, 1995.

ORDERED: That the Metropolitan District Commission by virtue of the power and authority conferred upon it by Chapter 564 of the Acts of 1987, Chapter 36 of the Acts of 1992, and Section 117 of Chapter 92 of the General Laws, and acts in amendment thereof or in addition thereto and every other power and authority hereto enabling, for the purposes of said acts and provisions, does hereby order the taking of and does hereby take in fee for watershed preservation, protection and operation purposes, under the provisions of Chapter 79 of the General Laws, in the name and behalf of the Commonwealth of Massachusetts, the following described land situated in the Town of West Boylston in the County of Worcester and Commonwealth of Massachusetts, namely:

A certain parcel of land lying on the southerly side of Goodale Street, near its intersection with Phelps Place, and astride Malden Brook, in the said Town of West Boylston and County of Worcester, more particularly bounded and described as follows:

Beginning at a point on the southerly side of Goodale Street, at the northwesterly corner of the parcel being described herein, at land formerly of one Deloria, now or formerly of Priscilla Thelma King, said point lying about 190 feet easterly of the easterly corner formed by the intersection of Phelps Place and Goodale Street;

Thence Southerly, by land now or formerly of King, 90 feet, more or less, to a point;

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Thence Westerly, by the same abutter 210 feet, more or less, to a point at land formerly of one Baldwin, now or formerly of Forbes S. Michie;

Thence Southerly, by land now or formerly of Michie, 785 feet, more or less, to a point;

Thence Southeasterly, still by land now or formerly of Michie, 102.65 feet, more or less, to a corner at land formerly of one Goodale, now or formerly of Country Club Realty Trust (Wachusett Country Club);

Thence Easterly, by land now or formerly of Country Club Realty Trust, 1330 feet, more or less, crossing Malden Brook and running to a point at a corner of stone walls at land formerly of one Keyes, now or formerly of Eliot Freeman, said point being the southeasterly corner of the parcel being described herein;

Thence N. 21° 00′ 10" W., by a wire fence and running partially by a stone wall, 417.06 feet to a drill hole;

Thence N. 21° 39′ 49" W., by the stone wall, 460.81 feet to a corner of walls;

Thence S. 59° 26′ 13" W., by the stone wall, 206.48 feet and recrossing Malden Brook to a point at land, now or formerly of Harold W. and Frederica Griswold, the last three courses being by land, now or formerly of Freeman;

Thence S. 32° 09′E., 84 feet, more or less, to a point;

Thence S. 36° 16′ W., 104.71 feet, to a point;

Thence S. 53° 30′ W., 55 feet, to a point;

Thence N. 30° 15′ W., a distance estimated to be 155 feet, more or less, to a point of curvature;

Thence By a curve to the right, with a radius of 10 feet, an arc distance estimated to be 25 feet, more or less, to a point on the southerly side of Goodale Street, the last five courses being by land now or formerly of Griswold;

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Thence By the southerly side of Goodale Street, 60 feet, more or less, to land formerly of one Knight, now or formerly of Edward D. and Lynne Benoit;

Thence S. 30° 15′ E., 229.63 feet to a stone post, at corner;

Thence S. 53° 30′ W., 100.00 feet to a point at land, formerly of one Merrill, now or formerly of Raymond P. and Marilyn J. Bancroft, this course being by land now or formerly of Benoit;

Thence On the same bearing, 100.00 feet to a corner;

Thence N. 30° 15′ W., 229.63 feet to a stone post on the southerly side of Goodale Street, the last two courses being by land now or formerly of Bancroft;

Thence Southwesterly and westerly by the curving southerly line of Goodale Street a distance estimated to be 525 feet, more or less, to the first mentioned point, being the point and place of beginning.

Containing by estimation 24 acres, more or less.

Meaning and intending to take hereby the above premises, howsoever the same may be bounded and described, and including any and all fee interest in Goodale Street which may be held by the supposed owner, and being the same premises described in a deed from Wallace E. Baldarelli and Isobel E. Baldarelli to Isobel E. Baldarelli, dated February 7, 1990, and recorded with Worcester District Registry of Deeds in Book 12626, Page 192.

The above described property is further identified by reference to West Boylston Assessors Tax Maps, represented as Lot 26 on Map 147.

AND IN LIKE MANNER, for the same purposes and by virtue of the same powers, the said Metropolitan District Commission does hereby order the taking of and does hereby take in the name and for the benefit of the Commonwealth of Massachusetts, for the purposes of said acts and provisions, all trees on said land and structures affixed to said land, with the exception of the poles, wires, cables, conduits, pipes and their appurtenances, for the conveyance of water, sewage, steam, gas and electricity, and for the transmission of telephone and telegraph communications and data or signals by electrical or electronic or electromagnetic means of any kind, now lawfully in or upon said land, and excluding all easements of record on, over, under, across and through said land.

The Commission hereby grants Wallace E. Baldarelli, individually, for the term of his natural life, the right to enter upon the premises at any time, and the right to hay said premises if and when any portion or all of such premises reverts to meadow land. The Commission also hereby grants to said Wallace E. Baldarelli, the right to remove the tool shed presently located on the premises within one year from the date of the recording of this order.

The Commission hereby grants Raymond Bancroft, as the owner of an abutting parcel shown as Lot 25 on said Map 147 but only so long as he owns an interest in said parcel, the right to continue to enter upon the premises taken hereby by the gate and access way on site, on the westerly side of his parcel, for the purposes of occasional entry to his rear yard, and for purposes of maintaining the existing mowed area as lawn and grounds. No plantings may be added, and no pesticides, herbicides and fertilizers may be applied to said area. Liming is permitted, together with the maintenance of existing trees and vegetation. There can be no alteration, grading, excavation, filling or placing of permanent structures within this area, and no further planting of ornamental plants is permitted.

The Commission hereby grants Edward Benoit, as the owner of an abutting parcel shown as Lot 24 on said Map 147 but only so long as he owns an interest in said parcel, the right to continue to enter upon the premises taken hereby on the easterly side of his parcel, for the purposes of maintaining the area lying on the easterly side of the parcel as lawn and grounds, so long as no fertilizers, herbicides and pesticides are used. There can be no

alteration, grading, excavation, filling or placing of permanent structures, or planting of non-native plants, within this area. The area of permitted use is bounded northwesterly by Goodale Street, northeasterly by land now or formerly of Griswold, easterly by land now of the Commonwealth of Massachusetts by a line extending from the southerly corner of said Griswold land to the easterly corner of said Benoit land and which shall in no configuration extend to or beyond Malden Brook at any point, and southwesterly land of said Benoit. Liming is permitted, together with the maintenance of existing trees and vegetation.

Further, the Commission hereby grants to Bigelow Nurseries, Inc., the right retain nursery stock on the premises taken hereby until June 15, 1996, at which time all nursery stock shall be removed from said premises, all holes resulting from the removal of said stock shall be filled with suitable soil, and, upon the removal of all said stock, all areas shall be harrowed and seeded in a manner suitable for hay production, all of which shall be accomplished on or before September 15, 1996.

The Commission awards damages sustained by the supposed owner of the land hereinabove mentioned by reason of said taking, in the following sum:

OWNER	AWARD
Wallace E. Baldarelli and Michael D. Brockelman, Trustees of the Isobel E. Baldarelli Trust	$ 250,000.00

The Commission further V O T E D: to approve an award of damages in the amount of $250,000.00, together with such damages and costs as required under General Laws, Chapter 79, Sections 6, 12, 39 and 44A.

1. Report of Mr. Gray, May 8, recommending that the Commission adopt an Order of Taking for acquisition of approximately 10.68 acres of land owned by Roger Fallavollita, located in the Town of Princeton, Massachusetts, and to approve an award of damages in the amount of $115,000.00, together with such damages and costs as required under General Laws, Chapter 79, Sections 6, 12, 39 and 44A. Account No. 2420-8936.
The Commission V O T E D: to adopt an Order of Taking for acquisition of approximately 10.68 acres of land owned by Roger Fallavollita, located in the Town of Princeton, Massachusetts.

ORDER OF TAKING
COMMONWEALTH OF MASSACHUSETTS
METROPOLITAN DISTRICT COMMISSION

Boston, May 11, 1995.

ORDERED: That the Metropolitan District Commission by virtue of the power and authority conferred upon it by Chapter 564 of the Acts of 1987, Chapter 36 of the Acts of 1992, and Section 117 of Chapter 92 of the General Laws, and acts in amendment thereof or in addition thereto and every other power and authority hereto enabling, for the purposes of said acts and provisions, does hereby order the taking of and does hereby take in fee for watershed preservation, protection and operation purposes, under the provisions of Chapter 79 of the General Laws, in the name and behalf of the Commonwealth of Massachusetts, the following described land situated in the Town of Princeton in the County of Worcester and Commonwealth of Massachusetts, namely:

A certain parcel of land lying on the southeasterly side of Bullard Road in the said Town of Princeton and County of Worcester, more particularly bounded and described as follows:

Beginning at the northwesterly corner of the parcel being described herein, at a point on the southeasterly line of Bullard Road, said point being distant southerly, measured on the easterly line of Bullard Road, 2,230 feet, more or less, from the intersection of the easterly side of Bullard Road and the southerly side of Houghton Road;

Thence S. 52° 40′ 00" E., by the southerly line of Lot # 13, land, now or formerly, of one Ottaviano, a distance of 1290.00 feet, more or less, to the thread of the stream of East Wachusett Brook;

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Thence Westerly, by the thread of East Wachusett Brook, and by the northerly line of land, formerly of Lois I. O'Connor, now or formerly, of William P. Collins & Felice Irvine Collins, and of Mark D. Horgan & Deborah S. Santman, and land, formerly of Harry K. Grund, now or formerly, of Gustaf P. Sorblom, a distance of 1160 feet, more or less, to land, formerly of Harry K. Tenney, now of the Commonwealth of Massachusetts;

Thence Northwesterly by the old location of the East Wachusett Brook, 350.00 feet, more or less, to a point on a curve on the easterly line of the Worcester County Highway location of Bullard Road;

Thence Northeasterly, by said highway and a curve to the right with a radius of 1,170 feet, an arc distance of 115 feet, more or less, to the northerly terminus of said curve;

Thence N. 52° 04' 26" W., by the location line of Bullard Road, a distance of 6.91 feet, to a point;

Thence N. 37° 20' 00" W., in part by a stone wall by said Bullard Road, a distance of 226.49 feet to the point and place of beginning.

Containing, by estimation, 10.68 acres of land, as shown as lot # 12, upon a plan entitled "Land in Princeton, Massachusetts owned by Donald R. Mathieu", prepared by Reney Brothers, Inc., dated June 9, 1978, and recorded with the Worcester District Registry of Deeds as Plan 26 in Plan Book 453.

Meaning and intending to take hereby the above premises, howsoever the same may be bounded and described, and including any and all fee interest in Bullard Road which may be held by the supposed owner, and being the same premises described in a deed from Donald R. Mathieu to Roger Fallavollita, dated May 8, 1980, and recorded with Worcester District Registry of Deeds in Book 6974, Page 219.

The above described parcel is represented upon Princeton Assessors Tax Maps as Parcel 8-12 on Map 13A.

AND IN LIKE MANNER, for the same purposes and by virtue of the same powers, the said Metropolitan District Commission does hereby order the taking of and does hereby take in the name and for the benefit of the Commonwealth of Massachusetts, for the purposes of said acts and provisions, all trees on said land and structures affixed to said land, with the exception of the poles, wires, cables, conduits, pipes and their appurtenances, for the conveyance of water, sewage, steam, gas and electricity, and for the transmission of telephone and telegraph communications and data or signals by electrical or electronic or electromagnetic means of any kind, now lawfully in or upon said land, and excluding all easements of record on, over, under, across and through said land.

The Commission awards damages sustained by the supposed owner of the land hereinabove mentioned by reason of said taking, in the following sum:

OWNER	AWARD
Roger Fallavollita	$ 115,000.00

The Commission further V O T E D: to approve an award of damages in the amount of $115,000.00, together with such damages and costs as required under General Laws, Chapter 79, Sections 6, 12, 39 and 44A.

1. Report of Mr. Gray, May 8, recommending that the Commission adopt an Order of Taking for acquisition of approximately 5.55 acres of land owned by Sterling Real Estate Development, Inc., located in the Town of Sterling, Massachusetts, and to approve an award of damages in the amount of $225,000.00, together with such damages and costs as required under General Laws, Chapter 79, Sections 6, 12, 39 and 44A. Account No. 2420-8936.
The Commission V O T E D: to adopt an Order of Taking for acquisition of approximately 5.55 acres of land owned by Sterling Real Estate Development, Inc., located in the Town of Sterling, Massachusetts.

ORDER OF TAKING
COMMONWEALTH OF MASSACHUSETTS
METROPOLITAN DISTRICT COMMISSION

Boston, May 11, 1995.

ORDERED: That the Metropolitan District Commission by virtue of the power and authority conferred upon it by Chapter 564 of the Acts of 1987, Chapter 36 of the Acts of 1992, and Section 117 of Chapter 92 of the General Laws, and acts in amendment thereof or in addition thereto and every other power and authority hereto enabling, for the purposes of said acts and provisions, does hereby order the taking of and does hereby take in fee for watershed preservation, protection and operation purposes, under the provisions of Chapter 79 of the General Laws, in the name and behalf of the Commonwealth of Massachusetts, the following described land situated in the Town of Sterling in the County of Worcester and the Commonwealth of Massachusetts, namely:

A certain parcel of land on the easterly side of Redemption Rock Trail in the Town of Sterling, Worcester County, Massachusetts, being shown as Lots 1 through 4 on a plan entitled "Plan of Land in Sterling, MA prepared for James Simpson" dated October 14, 1994, prepared by Andrysick Land Surveying, Inc. and recorded with the Worcester Registry of Deeds in Plan Book 687, Plan 58, bounded and described as follows:

BEGINNING AT THE SOUTHWESTERLY CORNER THEREOF AT THE INTERSECTION OF REDEMPTION ROCK TRAIL AND BEAMAN ROAD;

THENCE N 00° 36′ 35" E Seventy-nine and 45/100 (79.45) feet to a Worcester County Highway Bound;

THENCE Northerly by a curve to the right having a radius of two thousand four hundred and two (2,401.00) feet, a distance of two hundred fifty seven and

42/100 (257.42) feet to point at land of Hasselmann, the last two (2) courses being by the easterly line of Redemption Rock Trail;

THENCE N 85° 06′ 55" E One hundred sixty-five and 22/100 (165.22) feet to a stone bound;

THENCE N 03° 37′ 09" One hundred thirty-nine and 89/100) feet to an iron pipe at land of Smith and Baldarelli, the last two (2) courses being by land of Hasselmann;

THENCE N 80° 48′ 25" E, One hundred ninety-seven and 95/100 (197.95) feet by land of Smith and Baldarelli and of Beaoregard to the end of a wall in the Westerly line of North Oakdale cutoff;

THENCE S 27° 31′ 42" E, Forty-three and 90/100 (43.90) feet;

THENCE S 18° 23′ 31" E, One hundred ninety-four and 77/100 (194.77) feet;

THENCE S 22° 32′ 48" E, Seventy and 66/100 (70.66) feet to a drill hole;

THENCE S 30° 31′ 14" E, Eighty-one and 82/100 (81.82) feet;

THENCE S 33° 16′ 07" E, One hundred thirty-five and 8/100 (135.08) feet to a drill hole;

THENCE S 37° 46′ 54" E, Fifty-nine and 75/100 (59.75) feet;

THENCE S 42° 44′ 00" E, One hundred fifty-three and 97/100 (153.97) feet;

THENCE Due south nineteen and 47/100 (19.47) feet to a point in the Northerly line of Beaman Road, the last eight (8) courses being partly by wall in the Westerly line of North Oakdale cutoff;

THENCE Westerly by a curve to the left having a radius of one thousand thirty (1,030.00) feet, a distance of four hundred forty-nine and 26/100 (449.26) feet;

THENCE N 87° 23′ 50" W, Three hundred twenty-one and 81/100 (321.81) feet to the point of beginning, the last two (2) courses being by the Northerly line of Beaman Road.

CONTAINING A TOTAL OF 5.550 ACRES.

Meaning and intending to take hereby the above premises, howsoever the same may be bounded and described, and including any and all fee interest in Redemption Rock Trail and Beaman Road which may be held by the supposed owner, and being the same premises described in a deed from Florence B. Gustafson, Administrator, to Sterling Real Estate Development, Inc., dated October 27, 1994, and recorded with Worcester District Registry of Deeds in Book 16689, Page 71.

The above described property is further identified by reference to Sterling Assessors Tax Maps, Map 43-D-10.

AND IN LIKE MANNER, for the same purposes and by virtue of the same powers, the said Metropolitan District Commission does hereby order the taking of and does hereby take in the name and for the benefit of the Commonwealth of Massachusetts, for the purposes of said acts and provisions, all trees on said land and structures affixed to said land, with the exception of the poles, wires, cables, conduits, pipes and their appurtenances, for the conveyance of water, sewage, steam, gas and electricity, and for the transmission of telephone and telegraph communications and data or signals by electrical or electronic or electromagnetic means of any kind, now lawfully in or upon said land, and excluding all easements of record on, over, under, across and through said land.

The Commission awards damages sustained by the supposed owner of the land hereinabove mentioned by reason of said taking, in the following sum:

OWNER	AWARD
Sterling Real Estate Development, Inc.	$ 225,000.00

The Commission further V O T E D: to approve an award of damages in the amount of $225,000.00, together with such damages and costs as required under General Laws, Chapter 79, Sections 6, 12, 39 and 44A.

1. Report of Mr. Gray, May 8, recommending that the Commission declare surplus and transfer in accordance with the provisions of Chapter 452 of the Acts of 1993, and subject to the terms and conditions set forth by the Commission, a parcel of land containing 9,192 square feet, or 0.211 acres, lying off to the northerly side of Williamsville Road in the Town of Hubbardston, Massachusetts, for all purposes consistent with said Act.
The Commission V O T E D: to declare surplus and transfer in accordance with the provisions of Chapter 452 of the Acts of 1993, and subject to the terms and conditions set forth by the Commission, a parcel of land containing 9,192 square feet, or 0.211 acres, lying off to the northerly side of Williamsville Road in the Town of Hubbardston, Massachusetts, for all purposes consistent with said Act.

2. Report of Mr. Gray, May 8, submitting for approval a request for an additional $50,000.00, for Open Order Contract No. RP95-0001, for Appraisals for Watershed Land Acquisition FY/95 - Worcester and Franklin Counties. Cost $650,000.00. Account No. 2421-9936, under Sections 6 and 12 of Chapter 36 of the Acts of 1992 - (Cohen Bill).
The Commission V O T E D: Approved.

Adjourned at 11:20 a.m., to meet on Thursday, May 18, 1995, at 10:00 a.m.

William J. Cowell
Secretary

Record of the Three Thousand Seven Hundred and Twenty Ninth (3729th) meeting of the Metropolitan District Commission duly called and held at 20 Somerest Street, Boston, Massachusetts, on Thursday, May 18, 1995 at 10:00 a.m.

Present, Commissioner Balfour and Associate Commissioners Carr, Elkort, Settles and Wu.

The Records of the Commission Meeting held on May 4, 1995 were read and approved.

The Secretary submitted for signature the following paper which was signed by the Commissioner:

1. Inter-Agency Service Agreement, dated May 18, 1995, with Resource Mapping Group, University of Massachusetts, for Contract No. WM95-009-S1A - Land Cover Mapping - 124 Digital Orthophotoquads.

The Secretary then submitted for signature the following papers which were signed by the Commissioner and four Associate Commissioners:

2. Contract-Agreement, dated May 18, 1995, with Nashua River Watershed Association, for Wachusett Watershed Protection/ Wachusett Task Force Technical Assistance, Contract No. WM95-082-S1A.

3. Contract-Agreement No. P95-1798-M1A, dated May 18, 1995, with Aquatic Control Technology, Inc., for Control of Nuisance Vegetation, Upper Mystic Lake.

4. Contract-Agreement No. WM95-008-S1A, dated May 18, 1995, with Steinberg & Clark, Environmental Policy and Planning Consultants, for Wachusett Recreational Survey.

5. Contract-Agreement No. P95-1775-X1A, dated May 18, 1995, with Harvard University, to Analyze Air Quality at MDC Skating Rinks.

6. Contract-Agreement No. WM-075-S1A, dated May 18, 1995, with Dennis D'Amore, Geohydrologist, to Complete a Land Development Environmental Assessment of the Proposed Bayberry Commons Development in West Boylston.

7. Contract-Agreement No. P94-1749-D1A, with David P. Handlin and Associates, for Design Services for Captain's House Renovations, South Region Headquarters, Blue Hills Reservation, Milton - Mass State Project TMDC9401.

8. Contract-Agreement No. P94-1748-X1A, dated May 18, 1995, with ATC Environmental Services (ATC), for Lead Based Paint Testing Services at 12 Brainerd Street, Hyde Park.

9. Contract-Agreement, dated May 18, 1995, with Waste Management of Central Mass., for Non-Hazardous Waste Removal Services - Wachusett Section - FY95 - FY96.

1. Contract No. P95-1792-C1B, dated May 18, 1995, with Environmental Restoration, Inc., for Lead Paint Removal at Various MDC Facilities.

2. Contract No. P88-1548-C4A, dated May 18, 1995, with SCS Environmental Services, Inc., for Asbestos Abatement at Various M.D.C. Facilities.

3. Contract No. P93-1701-C1A, dated May 18, 1995, with Allstate Drilling & Pump Service, Inc., d/b/a E. Ryder Well Drilling, for Well Installation, Camp Nihan, Saugus.

4. Contract No. P95-1797-C1A, dated May 18, 1995, with Popico, Inc., D/B/A Holden Farms Nursery, for Planting Along Boston Harbor Beaches.

5. Amendment, dated May 18, 1995, to Contract-Agreement with Health Resources, to Medically Evaluate MDC Employees at Risk for Occupational Exposure to Hazardous Materials.

Action was taken upon the following matters relating to the Engineering and Construction Division:

6. Report of Messrs. Faucher, Brooks and Haider, May 11, submitting for approval Project Summary, Project Justification, Work Schedule and requesting authorization to advertise Project No. P95-1810-C1A, for Replacement of Service Building Roof at the Rink and Pool Facility in Weymouth.
Estimated Cost - $90,000.00.
Time for Performance - one month.
Account No. 2440-8952.
The Commission V O T E D: Approved.
The Commission further V O T E D: authorization to advertise Project No. P95-1810-C1A, for Replacement of Service Building Roof at the Rink and Pool Facility in Weymouth.

7. Report of Messrs. Faucher and Machado, May 3, submitting for approval Project Summary, Project Justification, Work Schedule and requesting authorization to advertise Project No. P95-1803-C1A, for Repairing/Replacing Bituminous and Cement Concrete Sidewalks and Curbing, Various Locations Throughout the Metropolitan District.
Estimated Cost - $750,000.00.
Time for Performance - thirteen months.
Account Nos. 2490-8910 and 2440-8952.
The Commission V O T E D: Approved.
The Commission further V O T E D: authorization to advertise Project No.P95-1803-C1A, for Repairing/Replacing Bituminous and Cement Concrete Sidewalks and Curbing, Various Locations Throughout the Metropolitan District.

8. Report of Messrs. Faucher and Machado, May 10, recommending approval of a revision in quantities on Item No. 043-010 - Galvanized Chain Link Fence 8' High - at a cost of $7,800.00, on Contract No. P94-1734-C1A, with Citiworks, Inc., for Installation

of Closure Gates, Guard Rail and Fences at Various Locations in the Metropolitan District.
(At no increase in Contract cost as the revision will be offset by unused quantities in Item No. 048-010 - Furnish and Install - Repair or Replace Boston Pattern Fence).
The Commission V O T E D: Approved as recommended by Messrs. Faucher and Machado in their report of May 10, 1995.

1. Report of Messrs. Faucher and Higgott, May 11, submitting for approval Project Summary, Project Justification, Work Schedule and requesting authorization to advertise Project No. P83-1250-D1A, for Upper Mystic Lake Dam Rehabilitation - Including the Addition of a Fish Ladder.
Cost for Design Services - $325,000.00.
Time for Performance - thirty-six months.
Account No. 2440-7957.
The Commission V O T E D: Approved.
The Commission further V O T E D: authorization to advertise Project No. P83-1250-D1A, for Upper Mystic Lake Dam Rehabilitation - Including the Addition of a Fish Ladder.

2. Report of Messrs. Faucher and Johnston, May 12, recommending approval of an extension of time from June 30, 1995 to June 30, 1996, on Contract No. P92-1655-M1A, with Conan Inspection, Inc., Arnold Greene Testing Laboratories Division, for Steel Inspection, Testing and Metallurgy, Etc. - due to administrative delays beyond MDC control.
(At no increase in Contract cost).
The Commission V O T E D: Approved.

3. Report of Messrs. Faucher and Machado, May 9, recommending approval of the request of Citiworks, Inc., Contractor on Contract No. P94-1734-C1A, for Installation of Closure Gates, Guard Rail and Fences at Various Locations Throughout the Metropolitan District, to engage the services of S & D Fence Co., Inc., as sub-contractor for Item No. 049-010, for Fence Work on the Michael Carrol Parkway, Lynn, at a cost of $15,500.00.
(At no increase in Contract cost).
The Commission V O T E D: Approved.

4. Report of Messrs. Faucher and Carrigan, April 26, recommending approval of the request of Bardon Trimount, Inc., for the following revisions in quantities on Contract No. P94-1732-C1A, for Resurfacing of MDC Parkways at Various Locations Throughout the Metropolitan District -

Item No. 002-010	**$112,000.00**
0 - 4" Cold Planing	
Item No. 004-010	**$ 10,125.00**
Catch Basins and Manholes Adjusted to Grade	
Item No. 007-010	**$214,500.00**
Bituminous Concrete	
Item No. 016-010	**$ 5,400.00**
4" Reflectorized Pavement Markings (Thermoplastic)	

Item No. 024-010 **$ 1,680.00**
Rebuilding of Deteriorated Catch Basins or Drop Inlets - Excluding Cost of Casting

Total - $343,705.00

(Unused quantities in Item No. 001-010 - Item No. 003-010 - Item No. 008-010 - Item No. 012-010 - Item No. 014-010 - Item No. 015-010 - Item No. 020-010 - Item No. 021-010 and Item No. 033-010 - will partially offset the revisions for a total of $94,750.00. The remaining cost of $248,955.00, will be funded from Account No. 2490-8910).
The Commission V O T E D: Approved as recommended by Messrs. Faucher and Carrigan in their report of April 26, 1995.

1. Report of Messrs. Faucher and Johnston, May 12, recommending approval of an extension of time from June 30, 1995 to June 30, 1996, on Contract No. P93-1680-M1A, with PSI/CWB Associates, Inc., for Inspection and Testing of Concrete, Bituminous, Soils, Paint, Etc. - due to administrative delays beyond MDC control. (At no increase in Contract cost).
The Commission V O T E D: Approved.

2. Report of Messrs. Faucher and Machado, May 9, recommending the following on Contract No. P84-1276-C2B, with Sciaba Construction Company, (Surety - National Union Fire Insurance Company), for Rehabilitation of Neponset River Bridge -
(a) That work be accepted as complete as of November 20, 1994.
(b) That Estimate No. 22 (Final), in the amount of $178,191.23, be approved for payment to National Union Fire Insurance Company.
(c) That reserve, in the amount of $26,079.16, be approved for payment to National Union Fire Insurance Company.
(Basis of Award - $3,178,200.00)
(Total to Date - $2,421,583.04)
(Contract Administration Rating - 2.00)
(EEO Compliance - 2.40)
The Commission V O T E D: that the work of Sciaba Construction Company, (Surety - National Union Fire Insurance Company), under Contract No. P84-1276-C2B, for Rehabilitation of Neponset River Bridge, be and hereby is accepted as completed as of November 20, 1994.
The Commission further V O T E D: to approve Estimate No. 22 (Final), in the amount of $178,191.23, for payment to National Union Fire Insurance Company.
The Commission further V O T E D: to approve release of reserve, in the amount of $26,079.16, for payment to National Union Fire Insurance Company.

3. Report of Messrs. Faucher and Jackson, May 1, recommending approval of the request of I. W. Harding Construction Co., Inc., Contractor on Contract No. P93-1661-C1A, for Reconstruction of Ryan Playground to engage the services of the following sub-contractors -
Sullivan Concrete, Inc. **$ 4,000.00**
Installation of Concrete Walks -
Installation of Exposed Aggregate Concrete Walks

G & S Iron Works **$15,311.65**
Iron Fencing and Hand Rails
Roads Corporation **$46,918.95**
Bituminous Concrete Paving
K.L.K. Fencing **$ 8,000.00**
Installation of Play Equipment
and Site Furnishings
Norwood Concrete Forms **$ 3,500.00**
Construction of Pool Ramp
The Commission V O T E D: Approved.

1. Report of Messrs. Faucher and Jackson, May 12, on bids for Installation of Flagpoles and Banners Along Boston Harbor Beaches. Contract No. P95-1806-C1A.
(Messrs. Faucher and Jackson recommend acceptance of the only bid received, that of Northern Tree Service, Inc., of $240,200.00. They further recommend that funding for the project be increased from $150,000.00 to $240,200.00.
They further recommend that the Commission execute the Contract).
Account No. 2440-8956.
The Commission V O T E D: to accept the only bid received, that of Northern Tree Service, Inc., of $240,200.00. Associate Commissioner Settles voted in opposition to the acceptance.
The Commission further V O T E D: approval to increase the funding for the project from $150,000.00 to $240,200.00, as recommended by Messrs. Faucher and Jackson in their report of May 12, 1995. Associate Commissioner voted in opposition to an increase in the funding.
The Secretary then submitted for signature Contract No. P95-1806-C1A, dated May 18, 1995, with Northern Tree Service, Inc., which was signed by the Commissioner and three Associate Commissioners. Associate Commissioner Settles abstained from signing the Contract.

Action was taken upon the following matters relating to the Watershed Management Division:

2. Report of Messrs. McGinn and Kane, May 9, requesting approval of an extension of time from June 30, 1995 to October 30, 1995 on Contract-Agreement No. WM94-007-S1A, with GZA GeoEnvironmental, Inc., for Emergency Site Investigation at Goodnough Dike, Quabbin Reservoir.
At no increase in Contract cost.
The Commission V O T E D: Approved.

3. Report of Mr. McGinn, May 10, recommending the following on Contract No. WM93-001-S1A, with Weston and Sampson Engineers, Inc., for Wastewater Facilities Plan - West Boylston -
(a) That work be accepted as completed as of September 30, 1994.
(b) That Invoice No. 13 (Retainage), in the amount of $14,698.88, be approved for payment.
(Basis of Award - $145,989.28)
(Total to Date - $145,988.99)
(Contract Administration Rating - 8.00 - with 10.00 being excellent)

(EEO Compliance - N/A)
The Commission V O T E D: that the work of Weston and Sampson Engineers, Inc., Consultant under Contract-Agreement No. WM93-001-S1A, be and hereby is accepted as completed as of September 30, 1994.
The Commission further V O T E D: to approve release of Invoice No. 13 (Retainage), in the amount of $14,698.88, for payment.

1. Report of Messrs. McGinn and Kane, May 2, requesting an increase in funding from $1,084,465.00 to $1,134,465.00 - ($50,000.00), on Contract No. WM94-007-C1A, with WES Construction Corp., Inc., for Construction of Expedient Repairs to Goodnough Dike, Quabbin Reservoir, Ware, due to the need for additional work on the project.
Account No. 2440-8881.
The Commission V O T E D: approval to increase funding from $1,084,465.00 to $1,134,465.00 - ($50,000.00), on Contract No. WM94-007-C1A, with WES Construction Corp., Inc., for Construction of Expedient Repairs to Goodnough Dike, Quabbin Reservoir, Ware, as recommended by Messrs. McGinn and Kane in their report of May 2, 1995.

Action was taken upon the following matter relating to the Recreational Facilities and Programs Division:

2. Report of Miss Connolly, May 12, recommending approval and execution of a Service Contract in the amount of $17,843.25, with Nation Wide Security, Inc., for Security Services at the Melnea Cass Pool in Roxbury for the period June 25, 1995 to September 4, 1995.
Account No. 2440-0010-JJ.
The Commission V O T E D: Approved.
The Secretary then submitted for signature Service Contract, dated May 18, 1995, with Nation Wide Security, Inc., for Security Services at the Melnea Cass Pool in Roxbury for the period June 25, 1995 to September 4, 1995, which was signed by the Commissioner and four Associate Commissioners.

Action was taken upon the following Various Matter:

3. Report of the Concession Selection Committee, May 10, recommending award of the Food Service Concession at the Hatch Memorial Shell, Charles River Esplanade, Boston, to Gerard F. Adomunes, D/B/A Adams Corner, for a period of three (3) years, encompassing the remainder of the 1995 season, plus the entire 1996 and 1997 seasons.
The Commission V O T E D: to award the Food Service Concession at the Hatch Memorial Shell, Charles River Esplanade, Boston, to Gerard F. Adomunes, D/B/A Adams Corner, for a period of three (3) years, encompassing the remainder of the 1995 season, plus the entire 1996 and 1997 seasons, as recommended by the Concession Selection Committee in their report of May 10, 1995.

Adjourned at 11:45 a.m., to meet on Thursday, May 25, 1995, at 10:00 a.m.

William F. Cowhig
Secretary

Record of the Three Thousand Seven Hundred and Thirtieth (3730th) meeting of the Metropolitan District Commission duly called and held at 20 Somerest Street, Boston, Massachusetts, on Thursday, May 25, 1995 at 10:00 a.m.

Present, Commissioner Balfour and Associate Commissioners Carr, Elkort and Wu.

The Records of the Commission Meeting held on May 11, 1995 were read and approved.

The Secretary submitted for signature the following paper which was signed by the Commissioner and four Associate Commissioners:

1. Contract-Agreement, dated May 25, 1995, with Friends of Boston Harbor Islands, Inc., for the Services of Volunteers for George's, Lovell's and Peddock's Islands.

Action was taken upon the following matters relating to the Engineering and Construction Division:

2. Report of Messrs. Faucher and Abounaja, May 11, recommending approval of the request of Sasaki Associates, Inc., Consultant on Contract-Agreement No. P82-1120-D1A, for Drainage and Irrigation System Rehabilitation for Ponkapoag Golf Course, for an extension of time from July 1, 1995 to December 31, 1996, due to the need for additional studies and receipt of an Order of Conditions from the Canton Conservation Commission.
(At no additional Contract cost)
The Commission V O T E D: Approved.

3. Report of Messrs. Faucher and Abounaja, May 19, recommending approval of the request of Rizzo Associates, Inc., Consultant on Contract-Agreement No. P94-1744-D1A, for Engineering Services and Remedial Response Action for the Former Underground Fuel Storage Site at Breakheart Reservation, for an extension of time from June 30, 1995 to June 30, 1996, in order to complete construction services.
(At no increase in Contract cost).
The Commission V O T E D: Approved.

4. Report of Messrs. Faucher and Arinella, May 15, recommending approval of the request of Raccuia Brothers Co., Contractor on Contract No. P95-1779-C1A, for Emergency Project to Construct a New Above Ground Chamber to House a Water Meter Backflow Preventer, Heating System and an Alarm System at Helen Street, Pemberton Pier in the Town of Hull, for an extension of time from June 1, 1995 to August 1,1995, due to delays in receiving DEP approval and permit.
(At no increase in Contract cost).
The Commission V O T E D: to approve an extension of time from June 1, 1995 to August 1, 1995, as recommended by Messrs. Faucher and Arinella in their report of May 15, 1995, to be effective, however, only upon receipt of the written consent of the bonding company, and on condition that no further request will be made for additional compensation.

1. Report of Messrs. Faucher and Sacco, May 17, recommending approval of the request of B.S.A. Painting Co., Inc., Contractor on Contract No. P95-1786-C1B, for Sandblasting and Painting the Chelsea, Everett and Stoneham Wading Pools, for an extension of time from May 24, 1995 to June 10, 1995, due to rainy weather and unexpected delays in obtaining permits for sandblasting from cities and towns.
(At no increase in Contract cost).
The Commission V O T E D: to approve an extension of time from May 24, 1995 to June 10, 1995, as recommended by Messrs. Faucher and Sacco in their report of May 17, to be effective, however, only upon receipt of the written consent of the bonding company, and on condition that no further request will be made for additional compensation.

2. Report of Messrs. Faucher and Lenhardt, May 9, recommending the following on Contract No. P95-1808-C1A, for Emergency Girder Repair, John J. Beades Drawbridge (Dorchester Bay Bridge), Boston -
(a) That the Commission ratify the action taken by Acting Director of Engineering and Construction Faucher resulting in the advertisement of the Contract for bids.
(b) That the Commission vote to award Contract No. P95-1808-C1A, for Emergency Girder Repair, John J. Beades Drawbridge (Dorchester Bay Bridge), Boston to Narayana Construction Corporation, Inc., with a low bid of $66,800.00.
Time for Performance - twenty-one days from Notice to Proceed.
Account No. 2490-8911.
The Commission V O T E D: to ratify the action taken by Acting Director of Engineering and Construction Faucher resulting in the advertisement of the Contract No. P95-1808-C1A for bids.
The Commission further V O T E D: to award Contract No. P95-1808-C1A, for Emergency Girder Repair, John J. Beades Drawbridge (Dorchester Bay Bridge), Boston to Narayana Construction Corporation, Inc., with a low bid of $66,800.00, as recommended by Messrs. Faucher and Lenhardt in their report of May 9, 1995.

Action was taken upon the following matters relating to the Recreational Facilities and Programs Division:

3. Report of Miss Connolly, May 16, requesting approval and execution of Service Contract, in the amount of $5,510.00, with Larchmont Engineering and Irrigation, Inc., for Removal and Installation of a New Berkeley Close-Coupled Pump and Motor at the Leo J. Martin Golf Course, Weston.
Account No. 2440-4500.
The Commission V O T E D: Approved.
The Secretary then submitted for signature Service Contract, dated May 25, 1995, with Larchmont Engineering and Irrigation, Inc., for Removal and Installation of a New Berkeley Close-Coupled Pump and Motor at the Leo J. Martin Golf Course, Weston, which was signed by the Commissioner and three Associate Commissioners.

4. Report of Miss Connolly, May 16, requesting approval and

execution of Service Contract, in the amount of $780.00, with Larchmont Engineering and Irrigation, Inc., for Rewinding Existing Electrical Pump and Motor at the Leo J. Martin Golf Course, Weston.
Account No. 2440-4500.
The Commission V O T E D: Approved.
The Secretary then submitted for signature Service Contract, dated May 25, 1995, with Larchmont Engineering and Irrigation, Inc., for Rewinding Existing Electrical Pump and Motor at the Leo J. Martin Golf Course, Weston, which was signed by the Commissioner and two Associate Commissioners.

1. Report of Miss Connolly, May 17, requesting approval and execution of Service Contract, in the amount of $7,800.00, with Audio Tech Services, for Electronic Repair and Maintenance Services on the Sound and Lighting Equipment at the Hatch Shell.
Account No. 2440-0010.
The Commission V O T E D: Approved.
The Secretary then submitted for Service Contract, dated May 25, 1995, with Audio Tech Services, for Electronic Repair and Maintenance Services on the Sound and Lighting Equipment at the Hatch Shell, which was signed by the Commissioner and three Associate Commissioners.

Action was taken upon the following Various Matters:

2. Report of Miss Anderson, May 18, submitting for Commission consideration a request from Children's Hospital and WBZ to conduct a Farmer's Market at the Artesani Playground area on Saturday, September 16, 1995, with all proceeds to benefit Children's Hospital.
The Commission V O T E D: Approved.

3. Report of Mr. Griffin, May 19, requesting an increase in the Commission's share of costs from $20,000.00 to $28,000.00 for FY95 on Agreement between the MDC and the President and Fellows of Harvard College, for maintenance of John Fitzgerald Kennedy Park, Cambridge, as outlined the Agreement.
Account No. 2440-0010.
The Commission V O T E D: Approved as requested by Mr. Griffin in his report of May 19, 1995.
Associate Commissioner Wu abstained from voting on this matter.

4. Report of the Parking Lot Proposal Review Committee, May 15, recommending selection of the firm of Fitz-Inn Auto Parks, Inc., to manage and operate the Nahant Beach Reservation Parking Lot for the 1995 beach season, commencing on May 26, 1995 and expiring on September 30, 1995.
The Committee also requests execution of the Permit-Agreement. Compensation to the Commission will be $70,000.00 plus 25% of gross receipts in excess of $150,000.00.
The Commission V O T E D: to approve the selection of the firm of Fitz-Inn Auto Parks, Inc., to manage and operate the Nahant Beach Reservation Parking Lot for the 1995 beach season, commencing on May 26, 1995 and expiring on September 30, 1995, with

compensation to the Commission in the amount of $70,000.00 plus 25% of gross receipts in excess of $150,000.00.
The Secretary then submitted for signature Permit-Agreement, dated May 25, 1995, with Fitz-Inn Auto Parks, Inc., for the management and operation of the Nahant Beach Reservation Parking Lot for the 1995 beach season, which was signed by the Commissioner and three Associate Commissioners.

1. Report of the Parking Lot Proposal Review Committee, May 15, recommending selection of the firm of Preferred Parking, to manage and operate the Nantasket Beach Reservation Parking Lots for the 1995 beach season, commencing on May 26, 1995 and expiring on September 30, 1995.
The Committee also requests execution of the Permit-Agreement. Compensation to the Commission will be $75,000.00.
The Commission V O T E D: to approve the selection of the firm of Preferred Parking, to manage and operate the Nantasket Beach Reservation Parking Lots for the 1995 beach season, commencing on May 26, 1995 and expiring on September 30, 1995, with compensation to the Commission in the amount of $75,000.00.
The Secretary then submitted for signature Permit-Agreement, dated May 25, 1995, with Preferred Parking, for the management and operation of the Nantasket Beach Reservation Parking Lots for the 1995 beach season, which was signed by the Commissioner and three Associate Commissioners.

2. Report of Mr. Jewett, May 22, recommending approval of the following Amendment to Contract-Agreements for Park Land Acquisition Program FY/95 - Professional Real Estate Appraisal Services (Open Order No. RP95-0004), as approved by the Commission at its Meeting of February 2, 1995, and authorization for Commissioner Balfour to execute the Contract Amendments on behalf of the Commission -

NAME	**ADDITIONAL VALUE**	**NEW PARCELS**
Leo F. Flynn	$15,625.00	5
Peter S. Emerson & Associates	$ 7,650.00	3
Meredith & Grew, Inc.	$ 1,500.00	1
TOTAL -	**$24,775.00**	**9**

Account No. 2441-9886
The Commission V O T E D: Approved.
The Commission further V O T E D: authorization for Commissioner Balfour to execute the Contract Amendments on behalf of the Commission.
Associate Commissioner Wu abstained from voting on this matter.

3. Report of Mr. Jewett, May 22, recommending approval of the following Amendments to Contract-Agreements for Watershed Land Acquisition Program FY/95-Professional Real Estate Appraisal Services (Open Order No. RP95-0001), as approved by the Commission at its Meeting of December 22, 1994, and authorization for Commissioner Balfour to execute the Contract-Amendments on behalf of the Commission -

NAME	ADDITIONAL VALUE	NEW PARCELS
Winthrop Real Estate Advisors	$14,150.00	4
Reynolds Company	$15,925.00	4
Leo Flynn	$17,500.00	3
Peter S. Emerson & Associates	$21,925.00	5
O'Connor Real Estate Associates, Inc.	$ 4,450.00	2
Casey & Dennis	$ 1,200.00	1
TOTAL -	**$75,150.00**	**19**

Account No. 2421-9936
The Commission V O T E D: Approved.
The Commission further V O T E D: authorization for Commissioner Balfour to execute the Contract Amendments on behalf of the Commission.

1. Report of the Parking Lot Proposal Review Committee, May 22, recommending selection of the firm of Square Boston Corporation, to manage and operate the Revere Beach Reservation Parking Lot, for the period June 1, 1995 through April 30, 1996.
The Committee also requests execution of the Permit Agreement.
Compensation to the Commission will be $30,600.00.
The Commission V O T E D: Held Over.

Action was taken upon the following matters relating to the Office of Real Property:

1. Report of Mr. Gray, May 19, recommending that the Commission adopt an Order of Taking for acquisition of approximately 0.60 acres of land owned by G. Arnold Haynes, located in the City of Newton, Massachusetts, and to approve an award of damages in the amount of $100,000.00, together with such damages and costs as required under General Laws, Chapter 79, Sections 6, 12, 39 and 44A. Account No. 2440-8886.
The Commission V O T E D: to adopt an Order of Taking for acquisition of approximately 0.60 acres of land owned by G. Arnold Haynes, located in the City of Newton, Massachusetts.

ORDER OF TAKING
COMMONWEALTH OF MASSACHUSETTS
METROPOLITAN DISTRICT COMMISSION

Boston, May 25, 1995.

ORDERED: That the Metropolitan District Commission by virtue of the power and authority conferred upon it by Chapter 564 of the Acts of 1987, Sections 33 and 79 of Chapter 92 of the General Laws, and Sections 30, 31 and 32 of Chapter 184 of the General Laws, and acts in amendment thereof or in addition thereto and every other power and authority hereto enabling, for the purposes of said acts and for park and reservation and protection of open space purposes, does hereby order the taking of and does hereby take under the provisions of Chapter 79 of the General Laws, a conservation restriction and easement in the name and for the benefit of the Commonwealth of Massachusetts, in the following described land situated in the City of Newton in the County of Middlesex and Commonwealth of Massachusetts, namely:

A certain parcel of land lying on the westerly side of Ellis Street, between said street and property of the Commonwealth of Massachusetts, Metropolitan District Commission, Hemlock Gorge Reservation, more particularly bounded and described as follows:

Beginning at a point on the westerly line of Ellis Street, at a drill hole found, at other land, now or formerly, of G. Arnold Haynes, said point being also a point on a 10 foot wide Drain & Sewer Easement held by the City of Newton;

Thence N. 73° 34′ 32" W., 66.94 feet, crossing a rock ledge, to a drill hole set;

Thence N. 72° 54′ 09" W., along the rock ledge, 80.28 feet, to a drill hole set;

Thence N. 78° 30′ 48" W., entering and running by a stone wall, 37.70 feet, to a drill hole set;

Thence N. 85° 11′ 50" W., 45.75 feet, to an iron rod set, at land of the Commonwealth of Massachusetts, the last four courses being by other land, now or formerly, of G. Arnold Haynes;

Thence N. 10° 29′ 10" E., 122.50 feet, to a concrete bound set at the northwesterly corner of the parcel being described herein, and land, now or formerly, of the Second Baptist Church;

Thence N. 82° 34′ 10" E., 19.43 feet, to a point;

Thence S. 81° 37′ 10" E., 53.42 feet, to a drill hole found at the westerly end of a stone wall;

Thence On the same bearing, by and through the stone wall, 78.62 feet, to a point on the curving westerly line of Ellis Street, the last three courses being, by land, now or formerly, of the Second Baptist Church;

Thence Southwesterly, by the westerly line of Ellis Street, and the arc of a curve to the right, having a radius of 292.08 feet, an arc distance of 168.03 feet, said arc being subtended by a central angle of 32° 57′ 42", to a point of tangency, to the found drill hole first mentioned, being the point and place of beginning.

Containing an area of 26,098 square feet, or 0.60 acres, as shown upon a survey plan entitled "Commonwealth of Massachusetts, Metropolitan Disrtict Commission, Newton (Middlesex County) MA, Land Taking Plan", dated December 30, 1993, prepared by Aneptek Corporation, 209 West Central Street, Natick, MA, which plan shall be recorded with the Middlesex South District Registry of Deeds and made a part of this order.

The aforementioned parcel is supposed to be owned by the following owner:

OWNER	RESTRICTION AREA TAKEN
G. Arnold Haynes	26,098 square feet, or 0.60 acres

Meaning and intending to take hereby a conservation restriction and easement in, on and to the above premises, howsoever the same may be bounded and described, and being a portion of the premises described in a deed from James T. Godino and Virginia T. Godino, Trustees of Telmwood Realty Trust to G. Arnold Haynes, dated October 31, 1972 and recorded with the Middlesex South District Registry of Deeds in Book 12319, Page 383.

The above described property is represented upon Newton Assessors Tax Map Sheet 125 SE as a portion of Lot 6 in Section 51, Block 1.

AND IN LIKE MANNER, for the same purposes and by virtue of the same powers, the said Metropolitan District Commission does hereby order the taking of and does hereby take in the name and for the benefit of the Commonwealth of Massachusetts, for the purposes of said acts and provisions, all such rights, including easements, privileges and appurtenances of every name and nature as may be necessary to give full force, virtue and effect, in perpetuity, to the following restrictions on the use of the parcel of land hereinabove described.

1. No construction or placing of buildings or structures or parts thereof, utilities or utility delivery systems, or roads, ways, paths or portions thereof, shall be permitted on said premises; provided, however, that the operation, maintenance, repair, renovation and replacement of utilities or utility delivery systems located on the premises as of the date of the recording of this order, shall be permitted; but provided further, that no provision contained wthin this order shall be construed to bar or otherwise limit any and all private and public utilities so authorized by law, from exercising eminent domain powers to place or locate utility easements and related structures on or along said premises.

2. No excavation, dredging or removal of loam, peat, gravel, soil, rock or other mineral substance, shall be permitted, except as necessary to maintain the land.

3. No storage, stockpiling, or use of hazardous materials, petroleum products, pesticides and herbicides, manure and fertilizers, shall be permitted.

4. No timber harvesting or tree cutting shall be permitted, unless such harvesting or cutting is approved by and conducted under the supervision of the MDC Division of Reservations and Historic Sites, its successors or assigns, and in compliance with all applicable local and state laws, regulations and ordinances.

5. No other acts or uses which would in any way alter, destroy, modify or detract from the preservation and protection of the premises in its natural state.

6. No other acts or uses detrimental to such land, as determined by the duly authorized representatives of said Commission, its successors or assigns or such other authority which shall for any time legally control or hold said restriction and easement.

The conservation restriction and easement hereby taken, grants the Commission, its successors and assigns, the right to enter upon the land hereinabove described at any time for the purpose of inspecting said land and enforcing the foregoing restrictions and remedying any violations of same, but does not grant the public any such rights. This right shall be in addition to any other remedies available to the Commission, its successors, assigns or other authority, for the enforcement of the foregoing restrictions and the remedying of any violations of same.

All other customary rights and privileges of ownership shall be retained by the owner, including the right to privacy.

The Commission awards damages sustained by the owner of the land hereinabove mentioned by reason of said taking, in the following sum:

OWNER	AWARD
G. Arnold Haynes	$ 100,000.00

The Commission further V O T E D: to approve an award of damages in the amount of $100,000.00, together with such damages and costs as required under General Laws, Chapter 79, Sections 6, 12, 39 and 44A.

1. Report of Mr. Gray, May 19, recommending that the Commission adopt an Order of Taking for acquisition of approximately 23.132 acres of land owned by Bigelow Nurseries, Inc., located in the Town of Sterling, Massachusetts, and to approve an award of damages in the amount of $75,000.00, together with such damages and costs as required under General Laws, Chapter 79, Sections 6, 12, 39 and 44A. Account No. 2420-8936.
The Commission V O T E D: to adopt an Order of Taking for acquisition of approximately 23.132 acres of land owned by Bigelow Nurseries, Inc., located in the Town of Sterling, Massachusetts.

ORDER OF TAKING
COMMONWEALTH OF MASSACHUSETTS
METROPOLITAN DISTRICT COMMISSION

Boston, May 25, 1995.

ORDERED: That the Metropolitan District Commission by virtue of the power and authority conferred upon it by Chapter 564 of the Acts of 1987, Chapter 36 of the Acts of 1992, and Section 117 of Chapter 92 of the General Laws, and acts in amendment thereof or in addition thereto and every other power and authority hereto enabling, for the purposes of said acts and provisions, does hereby order the taking of and does hereby take in fee for watershed preservation, protection and operation purposes, under the provisions of Chapter 79 of the General Laws, in the name and behalf of the Commonwealth of Massachusetts, the following described land situated in the Town of Sterling in the County of Worcester and Commonwealth of Massachusetts, namely:

A certain parcel of rear land lying northerly of Interstate-Route 190, southerly of Princeton Road and easterly of Greenland Road in the said Town of Sterling, more particularly bounded and described as follows:

Beginning at an iron pin found at the southwesterly corner of the parcel being described, at lands, now or formerly, of Henry J. Ciborowski, of Gustav E. Matson, and of land now, of the Commonwealth of Massachusetts, formerly, of Ciborowski, said iron pin lying S. 81° 42′ 30" E., 623.32 feet from an MDC concrete bound set on the easterly line of Greenland Road to mark the property line between land now or formerly of Matson and land of the Commonwealth;

Thence N. 35° 25′ 23" E., 403.87 feet across the swamp, to a point at the southwesterly end of a stone wall;

Thence N. 32° 04′ 40" E., by the wall, 31.20 feet, to a point;

Thence N. 33° 28′ 46" E., by the wall, 36.41 feet, to a point;

Thence N. 32° 48′ 18" E., 13.62 feet, to an MDC concrete bound found in the wall, at other land, now or formerly of Bigelow Nurseries, Inc., and land now, of the Commonwealth, formerly of Ciborowski, by which the last four courses run;

Thence On the same bearing, and still by the wall, 45.44 feet, to a point;

Thence N. 35° 06′ 13" E., 109.88 feet, to an iron pin set at or near the end of the wall, near the southerly side of a cart path running through the property from West to East;

Thence On the same bearing, by stone wall remnants, crossing the cart path, 247.39 feet, to a drill hole set in another stone wall at a corner, and land, now or formerly of Richard J. & Elizabeth L. Furmanick, the last three courses being by other land now or formerly of Bigelow Nurseries;

Thence N. 79° 14′ 43" E. by the stone wall, and land now or formerly of Furmanick, crossing the dry brook bed 1067.69 feet, to a drill hole set at a corner of stone walls and land now or formerly of Stanley Eckert;

Thence S. 12° 33′ 58" W., by the wall, 656.79 feet, to a drill hole set in the wall;

Thence S. 10° 09′ 31" W., by the wall and crossing a cart path, 314.84 feet, to a drill hole set at a corner of walls, at land now or formerly of Henry J. Ciborowski (Sterling Airport), the last two courses being by land, now or formerly of Stanley Eckert;

Thence S. 85° 07′ 49" W., by the wall and crossing a cart path, 475.86 feet, to a drill hole set at or near the end of the wall at the edge of the swamp;

Thence N. 85° 50′ 37" W., crossing the swamp, running partially by barbed wire remnants, 886.89 feet, to the iron pin first mentioned, being the point and place of beginning, the last two courses being by land now or formerly of Ciborowski.

Containing 1,007,629 square feet, or 23,132 acres, as shown on a plan entitled "Land Taking Plan For Watershed Protection - Sterling (Worcester County) Mass. - Commonwealth of Massachusetts - Division of Watershed Management - Taking From Bigelow Nurseries, Inc., 455 West Main Street Northborough, Ma.," dated June 21, 1993, and prepared by Land Planning Engineering & Survey, which plan shall be recorded with Worcester District Registry of Deeds, and made a part of this order, at a later date.

Meaning and intending to take hereby the above premises, howsoever the same may be bounded and described, and being a portion of the same premises described in a deed from Eileen Francis Warren, Executor under the Will of Bennie Peter Warren (Worcester Probate Case No. 288627) to Bigelow Nurseries, Inc., and a deed from Mary Wojack et als to Bigelow Nurseries, Inc., both dated March 18, 1980 and recorded respectively with Worcester District Registry of Deeds in Book 6943, Pages 365 and 369.

The above described property is represented upon Sterling Assessors Map 49 as Parcel 6.

AND IN LIKE MANNER, for the same purposes and by virtue of the same powers, the said Metropolitan District Commission does hereby order the taking of and does hereby take in the name and for the benefit of the Commonwealth of Massachusetts, for the purposes of said acts and provisions, all trees on said land and structures affixed to said land, with the exception of the poles, wires, cables, conduits, pipes and their appurtenances, for the conveyance of water, sewage, steam, gas and electricity, and for the transmission of telephone and telegraph communications and data or signals by electrical or electronic or electromagnetic means of any kind, now lawfully in or upon said land, and excluding all easements of record on, over, under, across and through said land.

The Commission awards damages sustained by the supposed owner of the land hereinabove mentioned by reason of said taking, in the following sum:

OWNER	AWARD
Bigelow Nurseries, Inc.	$ 75,000.00

The Commission further V O T E D: to approve an award of damages in the amount of $75,000.00, together with such damages and costs as required under General Laws, Chapter 79, Sections 6, 12, 39 and 44A.

1. Report of Mr. Gray, May 19, recommending that the Commission amend and modify the grant of easement recorded with Hampshire County Registry of Deeds in Book 1232, Page 36, and authorize the New England Power Company to construct, maintain, repair, renovate and replace an electrical switching station and all necessary and related structures upon a site located in the Town of Belchertown and within the existing easement area, as shown on a plan which is on file with the Commission.
The Commission V O T E D: to amend and modify the grant of easement recorded with Hampshire County Registry of Deeds in Book 1232, Page 36, and authorize the New England Power Company to construct, maintain, repair, renovate and replace an electrical switching station and all necessary and related structures upon a site located in the Town of Belchertown and within the existing easement area, as shown on a plan which is on file with the Commission.

Adjourned at 11:40 a.m., to meet on Thursday, June 1, 1995, at 10:00 a.m.

William F. Gushee
Secretary

Record of the Three Thousand Seven Hundred and Thirty First (3731st) meeting of the Metropolitan District Commission duly called and held at 20 Somerest Street, Boston, Massachusetts, on Thursday, June 1, 1995 at 10:00 a.m.

Present, Commissioner Balfour and Associate Commissioners Carr, Elkort, Settles and Wu.

The Records of the Commission Meeting held on May 18, 1995 were read and approved.

The Secretary submitted for signature the following paper which was signed by the Commissioner and four Associate Commissioners:

1. Contract No. P95-1808-C1A, dated June 1, 1995, with Narayana Construction Corp., for Emergency Girder Repair, John J. Beades Drawbridge (Dorchester Bay Bridge), Boston.

Action was taken upon the following matters relating to the Engineering and Construction Division:

2. Report of Messrs. Faucher and DeLuca, May 23, recommending approval of revisions in quantities on the following items on Contract No. P94-1723-C1A, with C.C.M. Corp., for Critical Repairs to Swimming Pools and Service Buildings -

Item No. 002-001	**$ 800.00**
Gravel Borrow	
Item No. 002-006	**$ 2,850.00**
Saw Cutting Concrete	
Item No. 002-013	**$ 1,600.00**
Remove and Dispose of Concrete Deck, Melrose Pool	
Item No. 002-017	**$ 1,500.00**
Saw cutting Cement Bottom, Melrose Pool	
Item No. 003-001	**$64,000.00**
Repairs to Cement Concrete	
Item No. 011-046	**$ 800.00**
New 6" Crank (gear) Operated Butterfly Valves	
Item No. 011-051	**$ 6,750.00**
Plumber/Tradesman	
Item No. 011-052	**$ 4,000.00**
Apprentice/Laborer	
Item No. 011-075	**$ 770.00**
New 2" Cast Iron Pipe	
Item No. 013-002	**$12,000.00**
Time and Materials for Electrical Work	
Total Cost -	**$95,070.00**

(At no increase in Contract cost as the revisions will be offset by unused quantities in Item Nos. 002-001, 002-006, 002-013, 002-017, 003-001, 011-046, 011-051, 011-052, 011-075, 013-002).

The Commission V O T E D: Approved.

3. Report of Mr. Faucher and Miss Peterson, May 23, submitting for approval Project Summary, Project Justification, Work Schedule and requesting authorization to advertise Project No.

P82-1054-C1A, for Repair of Charles Circle Bridges #57A and #57B, Boston.
Estimated Cost - $2.1 million.
Time for Performance - twelve months.
Account No. 2490-0009.
The Commission V O T E D: Approved.
The Commission further V O T E D: authorization to advertise Project No. P82-1054-C1A, for Repair of Charles Circle Bridges #57A and #57B, Boston.

1. Report of Messrs. Faucher and Carrigan, May 25, recommending approval of the following as requested by J. Marchese & Sons, Inc., Contractor on Contract No. P94-1733-C1A, for Repairing/Replacing Bituminous and Cement Concrete Sidewalks, as follows -

Extra Work Order No. 1	**$2,344.79**
Removal of Loose Concrete on the Longfellow Bridge	
Extra Work Order No. 2	**$5,922.39**
Removal of a Section of Concrete Wall in Median of Storrow Drive	
Total -	**$8,267.18**

An **extension of time** from June 30, 1995 to July 30, 1995. (At no increase in Contract cost as the Extra Work will be offset by unused quantities in Item No. 011-010 - New Granite Edgestone).
The Commission V O T E D: to approve Extra Work Order No. 1, in the amount of $2,344.79.
The Commission further V O T E D: to approve Extra Work Order No. 2, in the amount of $5,922.39.
The Commission further V O T E D: to approve an extension of time from June 30, 1995 to July 30, 1995, as recommended by Messrs. Faucher and Carrigan in their report of May 25, 1995, to be effective, however, only upon receipt of the written consent of the bonding company, and on condition that no further request will be made for additional compensation.

2. Report of Messrs. Faucher and Thurlow, May 15, recommending the following on Contract No. P89-1561-C6A, with Foye & Letendre Landscaping, Inc., for Cherry Tree Planting at Various Locations -
(a) That work be accepted as completed as of May 1, 1995.
(b) That Estimate No. 3 (Final), in the amount of $8,445.32, be approved for payment.
(c) That reserve, in the amount of $1,743.10, be approved for payment.
(Basis of Award - $34,862.00)
(Total to Date - $34,862.00)
(Contract Administration Rating - 4.00)
(EEO Compliance - 2.25)
The Commission V O T E D: that the work of Foye & Letendre Landscaping, Inc., Contractor under Contract No. P89-1561-C6A, be and hereby is accepted as complete as of May 1, 1995.
The Commission further V O T E D: to approve Estimate No. 3 (Final), in the amount of $8,445.32, for payment.

The Commission further V O T E D: to approve release of reserve, in the amount of $1,743.10, for payment.

1. Report of Messrs. Faucher and Arinella, March 10, recommending approval of the action of Deputy Director Faucher resulting in Extra Work Order No. 2, for finding, inspecting and repairing the 4 inch existing fresh water line from Pemberton Pier, Hull, across to George's Island, at a cost of $54,447.68, on Contract No. P93-1691-M1A, with RDA Construction Corp., for Servicing, Maintaining and Repairing Underwater Structures at Various Flood Control/Navigation Sites.
Account No. 2440-8889.
The Commission V O T E D: to approve the action of Deputy Director Faucher which resulted in Extra Work Order No. 2, in the amount of $54,447.68.

2. Report of Messrs. Faucher, Brooks and Haider, May 25, recommending the following on Contract No. P95-1795-C1A, for Removal of Three MDC Facility Roofs and Replacing with Built-Up Cold Process Roof Systems at Boston, Weston and Canton -

(a) Approval of a revision in quantities on
Item No. 002-020 - **$10,125.00**
Wood Deck Replacement

(b) Approval of a revision in quantities on
Item No. 002-030 - **$ 9,425.00**
Wood Joist Replacement

Total - $19,550.00

(c) Approval of **Extra Work Order No. 1** - **$ 8,500.00**
Replacement of Copper Counter-flashing Headquarters Building

(d) Ratification and approval of the action of Acting Director Faucher resulting in -
Extra Work Order No. 2 - **$ 774.00**
Replacement of a deteriorated broken roof leader pipe at Headquarters Building

Account No. 2440-8952.
The Commission V O T E D: to approve a revision in quantities on Item No. 002-020, in the amount of $10,125.00.
The Commission further V O T E D: to approve of a revision in quantities on Item No. 002-030, in the amount of $9,425.00.
the Commission further V O T E D: to approve Extra Work Order No. 1, in the amount of $8,500.00.
The Commission further V O T E D: to ratify and approve the action taken by Acting Director Faucher which resulted in Extra Work Order No. 2, in the amount of $774.00.

3. Report of Messrs. Faucher and Abounaja, May 23, recommending approval of the request of Green Environmental, Inc., Contractor on Contract No. P94-1744-C1A, for Oil and Ground Water Collection and Treatment System, Breakheart Reservation, for an extension of time from June 30, 1995 to June 30, 1996, due to delays in obtaining final approval of shop drawings and in the delivery of the filtration system from the manufacturer.
The Commission V O T E D: to approve an extension of time from June 30, 1995 to June 30, 1996, as recommended by Messrs. Faucher

and Abounaja in their report of May 23, 1995, to be effective, however, only upon receipt of the written consent of the bonding company, and on condition that no further request will be made for additional compensation.

1. Report of Messrs. Faucher and DeLuca, May 25, requesting ratification and approval of the action of Acting Director Faucher resulting in Extra Work Order No. 1, in the amount of $37,590.00, for miscellaneous work, on Contract No. P94-1723-C1A, with C.C.M. Corp., for Critical Repairs to Swimming Pools and Service Buildings. $29,046.10 in underruns on the project will be utilized to partially offset the Extra Work Order. The remaining $8,584.30 will be available in Account No. 2440-7893. The Commission V O T E D: to ratify and approve the action of Acting Director Faucher which resulted in Extra Work Order No. 1, in the amount of $37,590.00.

2. Report of Messrs. Faucher and DeLuca, May 24, recommending approval of the action of Acting Director Faucher which increased the Contract bid price by $19,230.00, to provide for previously approved quantity revisions on Contract No. P93-1662-C1A, with Allied Weatherproofing Co., Inc., for Critical Repairs to Swimming Pools and Service Buildings. Account No. 2440-7883. The Commission V O T E D: to approve the action of Acting Director Faucher which increased the Contract bid price by $19,230.00, to provide for previously approved quantity revisions on Contract No. P93-1662-C1A.

Action was taken upon the following matters relating to the Watershed Management Division:

3. Report of Messrs. McGinn and Robert O'Connor, May 26, requesting approval of the 1995 Quabbin Reservation Controlled Deer Hunt, as outlined in Table 1 of the report.
The Commission V O T E D: Approved. A copy of the 1995 Quabbin Reservation Controlled Deer Hunt, as outlined in Table 1 of the report of Messrs. McGinn and O'Connor, is on file in the Secretary's Office.

4. Report of Messrs. McGinn and Robert O'Connor, May 15, recommending approval of an Interagency Service Agreement with the Massachusetts Office of Dispute Resolution for a cost not-to-exceed $1,500.00, for Mediation Services Necessary to Complete the Wachusett Reservoir Public Access Plan.
Time of Performance - May 25, 1995 to November 1, 1995.
Account No. 2420-1400.
The Commission V O T E D: Approved.

Action was taken upon the following matter relating to the Recreational Facilities and Program Division:

5. Report of Miss Connolly, May 22, requesting approval and execution of an Amendment to the Service Contract with Hunt & Hulteen, Inc., for Irrigation Repairs at Foss Park, Somerville, which calls for repairs to broken pipes under two pitchers mounds

and repairs to a gate valve near the Little League field at Foss Park, at a cost of $791.40.
Account No. 2440-9846.
The Commission V O T E D: Approved.
The Secretary then submitted for signature Amendment, dated June 1, 1995, to Service Contract with Hunt & Hulteen Inc., which was signed by the Commissioner and four Associate Commissioners.

Action was taken upon the following Various Matters:

1. Report of the Parking Lot Proposal Review Committee, May 22, recommending selection of the firm of Square Boston Corporation, to manage and operate the Revere Beach Reservation Parking Lot, for the period June 1, 1995 through April 30, 1996.
The Committee also requests execution of the Permit Agreement.
Compensation to the Commission will be $30,600.00.
The Commission V O T E D: to delete from Agenda.

2. Report of Mr. Jewett, May 30, requesting approval and authorization for Commissioner Balfour to execute on behalf of the Commission a Contract for Real Estate Relocation Services with Relocation Consultants to evaluate the value of gravel deposits on a parcel of land targeted for acquisition in Princeton, Massachusetts.
Contract Value - $8,900.00.
Time for Performance - twenty-one days.
Account No. 2421-9936.
The Commission V O T E D: Approved.
The Commission further V O T E D: to authorize Commissioner Balfour to execute on behalf of the Commission the Contract with Relocation Consultants.

3. Report of Miss Overton, May 26, on behalf of the Beaches Project Team, requesting approval and execution of an Amendment to the Banner and Flag Fabrication Contract with Graphic Productions, Inc., which calls for putting vents into the banners to prevent the banners from flying loose in high winds and a change in scope which will call for fabricating the one sided banners with a graphic sewn on the reverse side in order to see the design on both sides with one piece of substrate between them. Cost will be offset by a reduction in the quantity of banners.
The Commission V O T E D: Approved as recommended by Miss Overton in her report of May 26, 1995.
The Secretary then submitted for signature Amendment, dated June 1, 1995, with Graphic Productions, Inc., which was signed by the Commissioner and four Associate Commissioners.

4. Report of Miss Overton, May 26, on behalf of the Beaches Project Team, requesting approval and authorization from the Commission to advertise for mobile water-related recreational equipment rental and instructional concessions for the 1995, 1996 and 1997 seasons at MDC Boston Harbor Beaches (Wollaston Beach, Quincy and Carson Beach, South Boston).
The Commission discussed in detail the matter of mobile water related recreational equipment rental and instructional

concessions at Wollaston Beach and Carson Beach for the 1995, 1996 and 1997 season.
Following the discussion, the Commission requested that the following changes be made in the Request for Proposals -
(a) The public liability insurance limits as to third persons and products liability insurance against claims based upon the rental of recreational equipment and instruction be increased from $100,000.00 to $300,000.00 per person and from $300,000.00 to $1,000,000.00 per accident covering liability arising out of the operation of the concessionaire's business.
(b) That Constitution Beach, East Boston, be added as an additional location to the Request for Proposals.
(c) That the term of the concessions be reduced from 1995-1996-1997 to a one year (1995) pilot program.
The Commission V O T E D: approval with the aforementioned revisions being incorporated into the Request for Proposals.

1. Report of the Concession Selection Committee, May 31, with recommendation for the Summer mobile and fixed location concessions.
Associate Commissioner Carr, noted that one of the bidders for the Lee Pool fixed concession location submitted a higher bid than the individual being recommended for the award of the concession. He questioned why the individual with the highest bid was not recommended for award of the concession permit.
Miss Connolly explained that in addition to compensation to the Commission, the Concession Selection Committee also had to take into consideration experience of the principal party and the principal operating personnel, all services and products to be offered by the bidder, including product line and price list, schedule of operation along with plans for using recyclable serving materials.
Associate Commissioner Carr stated that in addition to the Committee's recommendation, the Committee should have provided the Commission with a Matrix, outlining the weights given various criteria and how they were determined.
Miss Overton noted that Concession Selection Committee rated all concessionaires in terms of the five criteria outlined in the R.F.P. Each criteria was given a value and a final point score as given to each of the bidders.
Miss Overton then explained that the Concession Selection Committee did prepare spread sheets in which all of the proposals were rated by point systems on each of the categories.
At this point, the Commission recessed while the spread sheets were obtained and made available to the Commission for review.
The meeting was called back to order and following a review of the spread sheets and ratings of the various concessionaires, by the Commission, Associate Commissioner Carr commended the Concession Selection Committee for their diligence and efforts in setting up the rankings and the relative weights of the categories listed in the Request for Proposals.
Associate Commissioner Carr then asked if the relative weights assigned to each of the criteria were decided before the proposals were reviewed by the Concession Selection Committee.

Mr. Iovanna, a member of the Concession Selection Committee, stated that the relative weights for each of the criteria were established before the proposals were either read or reviewed by the Concession Selection Committee members.
Associate Commissioner Carr then noted that having seen and reviewed the spread sheets with weights and rankings that most of his concerns were now addressed.
Associate Commissioner Carr then asked, that in the future, that all spread sheets and rankings be provided when recommendations are made to the Commission if there is not a clear cut choice for award of a concession location.
At this point, Associate Commissioner Carr made a motion to accept the Concession Selection Committee's recommendation which was seconded. The Commission then V O T E D: to award mobile and fixed location concessions for the 1995-1996-1997 seasons to the following vendors -

FIXED LOCATIONS

LOCATION	VENDOR	COMPENSATION
Lee Pool, West End, Boston	Corrine Ferullo	$500.00 per 1995-1996 -1997 seasons
Nantasket Beach Pavilion, Hull	Peter Richards - Shamrock Concessions	$9,500.00 per 1995-1996-1997 seasons
Constitution Beach, East Boston	Joe Bono - Boston Pushcart	$3,050.00 and an additional 18% of gross over $35,000.00 for the 1995-1996-1997 seasons
Houghton's Pond, Milton	Najjar Concessions	1995 season- $4,000.00 1996 season- $5,000.00 1997 season- $6,000.00

MOBILE CONCESSIONS

LOCATION	VENDOR	COMPENSATION
Artesani Tot-Lot, Brighton	R & S Enterprises	$2,050.99 per 1995-1996-1997 seasons
Dilboy Field Area, Somerville	William "Billy Bear" McAllister	20% of any profit, no less than $1,000 per 1995-1996-1997 seasons
Nahant Half-Way House, Nahant	Arrowhead Foods	$4,725.00 per 1995-1996-1997 seasons
Sandy Beach, Winchester	R & S Enterprises	$1,999.99 per season

The Commission further V O T E D: to reject all bids for the

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mobile location at Pearce Lake in Saugus and re-advertise for the remainder of the 1995 season.
The Commission further V O T E D: to reject all bids for the Nahant Beach Bathhouse and re-advertise as a mobile concession for the remainder of the 1995 season.
The Commission further V O T E D: to reject all bids for the Carson Beach mobile location and re-advertise for the remainder of the 1995 season.

1s:
e , 1995 Action was taken upon the following matters relating to the Office of Real Property:

1. Report of Mr. Gray, May 26, recommending that the Commission adopt an Order of Taking for acquisition of approximately 30 acres of land owned by Elaine E. Levine, Administratrix of the Estate of Richard B. Dean, located in the Town of Princeton, Massachusetts, and to approve an award of damages in the amount of $21,000.00, together with such damages and costs as required under General Laws, Chapter 79, Sections 6, 12, 39 and 44A. Account No. 2420-8936.
The Commission V O T E D: to adopt an Order of Taking for acquisition of approximately 30 acres of land owned by Elaine E. Levine, Administratrix of the Estate of Richard B. Dean, located in the Town of Princeton, Massachusetts.

ORDER OF TAKING
COMMONWEALTH OF MASSACHUSETTS
METROPOLITAN DISTRICT COMMISSION

Boston, June 1, 1995.

ORDERED: That the Metropolitan District Commission by virtue of the power and authority conferred upon it by Chapter 564 of the Acts of 1987, Chapter 36 of the Acts of 1992, and Section 117 of Chapter 92 of the General Laws, and acts in amendment thereof or in addition thereto and every other power and authority hereto enabling, for the purposes of said acts and provisions, does hereby order the taking of and does hereby take in fee for watershed preservation, protection and operation purposes, under the provisions of Chapter 79 of the General Laws, in the name and behalf of the Commonwealth of Massachusetts, the following described land situated in the Town of Princeton in the County of Worcester and Commonwealth of Massachusetts, namely:

A certain parcel of land lying off the northeasterly side of Mirick Road and off the northwesterly side of Princeton Road, more particularly bounded and described as follows:

Beginning at a point at the southwesterly corner of the parcel being described, lying approximately 2550 feet northerly of the northerly line of the intersection of Mirick and Princeton Roads, and at lands now or formerly of Mirick, of Conway, and of Thorell;

Thence Northeasterly, by land now or formerly of Mirich Sewall, now or formerly of Thorell, and of Mason, 1546.62 feet, more or less, to a corner;
Thence Southeasterly, northeasterly, southeasterly, southwesterly, and southeasterly by land formerly of Winslow E. Beaman, now or formerly of Mason, a total distance estimated to be 1854.5

feet, more or less, to a corner and land now or formerly of Poole;

Thence Southwesterly, by lands formerly of Artemas H. Skinner and of George Hartwell, now or formerly of Poole, a distance of 1324 feet, more or less, to a corner and land now or formerly of Garfield;

Thence Northwesterly, by lands formerly of Barney Kielty and of George N. Davis, now or formerly of Garfield, and of Mirick, a distance of 1000 feet, more or less, to the point at the northwesterly corner, being the point and place of beginning.

The above described contains 30 acres, more or less.

Meaning and intending to take hereby the above premises, howsoever the same may be bounded and described, and being the same premises described in a deed from Arthur C. Hubbard to Richard B. Dean, et al, dated March 2, 1973, and recorded with Worcester District Registry of Deeds in Book 5329, Page 222, and in a deed from Cynthia M. O'Connor to Richard B. Dean, dated March 13, 1982, and recorded with said Deeds in Book 7441, Page 318.

The above described property is represented upon Princeton Assessors Tax Map 8 as Parcel 47.

AND IN LIKE MANNER, for the same purposes and by virtue of the same powers, the said Metropolitan District Commission does hereby order the taking of and does hereby take in the name and for the benefit of the Commonwealth of Massachusetts, for the purposes of said acts and provisions, all trees on said land and structures affixed to said land, with the exception of the poles, wires, cables, conduits, pipes and their appurtenances, for the conveyance of water, sewage, steam, gas and electricity, and for the transmission of telephone and telegraph communications and data or signals by electrical or electronic or electromagnetic means of any kind, now lawfully in or upon said land, and excluding all easements of record on, over, under, across and through said land.

The Commission awards damages sustained by the supposed owner of the land hereinabove mentioned by reason of said taking, in the following sum:

OWNER	AWARD
Elaine E. Levine, Administratrix of the Estate of Richard B. Dean, Worcester County Probate No. 88P1644EF	$ 21,000.00

The Commission further V O T E D: to approve an award of damages in the amount of $21,000.00, together with such damages and costs as required under General Laws, Chapter 79, Sections 6, 12, 39 and 44A.

1. Report of Mr. Gray, May 26, recommending that the Commission adopt an Order of Taking for acquisition of approximately 4.589 acres of land owned by John R. Alfke, located in the Town of Sterling, Massachusetts, and to approve an award of damages in the amount of $63,250.00, together with such damages and costs as required under General Laws, Chapter 79, Sections 6, 12, 39 and 44A. Account No. 2420-8936.
The Commission V O T E D: to adopt an Order of Taking for acquisition of approximately 4.589 acres of land owned by John R. Alfke, located in the Town of Sterling, Massachusetts.

ORDER OF TAKING
COMMONWEALTH OF MASSACHUSETTS
METROPOLITAN DISTRICT COMMISSION

Boston, June 1, 1995.

ORDERED: That the Metropolitan District Commission by virtue of the power and authority conferred upon it by Chapter 564 of the Acts of 1987, Chapter 36 of the Acts of 1992, and Section 117 of Chapter 92 of the General Laws, and acts in amendment thereof or in addition thereto and every other power and authority hereto enabling, for the purposes of said acts and provisions, does hereby order the taking of and does hereby take in fee for watershed preservation, protection and operation purposes, under the provisions of Chapter 79 of the General Laws, in the name and behalf of the Commonwealth of Massachusetts, the following described land situated in the Town of Sterling in the County of Worcester and Commonwealth of Massachusetts, namely:

A certain parcel of land lying on the northwesterly side of Chase Hill Road (formerly known as Fitch Pond Road), the southeasterly corner of which lies approximately 485 feet northerly of the Worcester, Nashua & Portland Division Railbed of the Boston & Maine Railroad, more particularly bounded and described as follows:

Beginning at a Worcester County Highway Bound found on the northwesterly side line of Chase Hill Road, at land now or formerly of John S. Hachey, being the southeasterly corner of the parcel being described herein;

Thence N. 38° 05′ 05" W., 619.08 feet to a corner, and land now or formerly, of Alfred P. & Ramona M. Gallant, this course running by land now or formerly of the aforesaid Hachey;

Thence N. 44° 46′ 42" E., 259.09 feet to a corner, and land now or formerly of Charles J. & Vicki L. Busky and of Jeffrey R. & Kathleen M. Hebb, this course being by lands now or formerly of the aforementioned Gallant and Busky;

Thence S. 67° 00′ 30" E., 445.70 feet to a point on the northwesterly side line of Chase Hill Road, this course being by land now or formerly of Hebb;

Thence S. 22° 59′ 30" W., by Chase Hill Road, 540.00 feet to the Worcester County Highway Bound first mentioned, being the point and place of beginning.

Containing 4.589 acres of land, and being the same premises shown as Lot 11 on a plan entitled "Plan of Lots in Sterling, Prepared for John R. Alfke & James E. Simpson," dated July 15, 1981, drawn by Berry Engineering, Inc., and recorded with the Worcester District Registry of Deeds as Plan 37 in Plan Book 489.

The above described premises is represented upon Sterling Assessors Plans as Lot 11 on Map 21-N.

Meaning and intending to take hereby the above premises, howsoever the same may be bounded and described, and including any and all fee interest in Chase Hill Road which may be held by the supposed owner, and being the same premises described in a deed from John R. Alfke and James E. Simpson to John R. Alfke, dated December 4, 1992, and recorded with Worcester District Registry of Deeds in Book 14774, Page 216.

AND IN LIKE MANNER, for the same purposes and by virtue of the same powers, the said Metropolitan District Commission does hereby order the taking of and does hereby take in the name and for the benefit of the Commonwealth of Massachusetts, for the purposes of said acts and provisions, all trees on said land and structures affixed to said land, with the exception of the poles, wires, cables, conduits, pipes and their appurtenances, for the conveyance of water, sewage, steam, gas and electricity, and for the transmission of telephone and telegraph communications and data or signals by electrical or electronic or electromagnetic means of any kind, now lawfully in or upon said land, and excluding all easements of record on, over, under, across and through said land.

The Commission awards damages sustained by the supposed owner of the land hereinabove mentioned by reason of said taking, in the following sum:

OWNER	AWARD
John R. Alfke	$ 63,250.00

The Commission further V O T E D: to approve an award of damages in the amount of $63,250.00, together with such damages and costs as required under General Laws, Chapter 79, Sections 6, 12, 39 and 44A.

1. Report of Mr. Gray, May 26, recommending that the Commission adopt an Order of Taking for acquisition of approximately 5 acres of land owned by Maureen Biddle Lambert, located in the Town of Sterling, Massachusetts, and to approve an award of damages in the amount of $50,000.00, together with such damages and costs as required under General Laws, Chapter 79, Sections 6, 12, 39 and 44A. Account No. 2420-8936.
The Commission V O T E D: to adopt an Order of Taking for acquisition of approximately 5 acres of land owned by Maureen Biddle Lambert, located in the Town of Sterling, Massachusetts.

ORDER OF TAKING
COMMONWEALTH OF MASSACHUSETTS
METROPOLITAN DISTRICT COMMISSION

Boston, June 1, 1995.

ORDERED: That the Metropolitan District Commission by virtue of the power and authority conferred upon it by Chapter 564 of the Acts of 1987, Chapter 36 of the Acts of 1992, and Section 117 of Chapter 92 of the General Laws, and acts in amendment thereof or in addition thereto and every other power and authority hereto enabling, for the purposes of said acts and provisions, does hereby order the taking of and does hereby take in fee for watershed preservation, protection and operation purposes, under the provisions of Chapter 79 of the General Laws, in the name and behalf of the Commonwealth of Massachusetts, the following described land situated in the Town of Princeton in the County of Worcester and Commonwealth of Massachusetts, namely:

A certain parcel of land lying on the southeasterly side of Coal Kiln Road, between the intersections of Coal Kiln Road with Forslund Road and Sterling Road (Route 140), more particularly bounded and described as follows:

Beginning at the northwesterly corner of the parcel being described at a stake and stones on the southeasterly line of Coal Kiln Road, at land, formerly of Amos Babcock, now or formerly of Paul J. and Donna M. Meyer;

Thence S. 40° W., by Coal Kiln Road, 346.50 feet, more or less, to a stake and stones at land now or formerly of one Stump;

Thence S. 40° E., by land now or formerly of Stump, 726 feet, more or less, to a stake and stones at land now or formerly of the Town of Princeton Elementary School;

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Thence N. 40° E., by land now or formerly of the Town, 346.50 feet, more or less, to an iron pin found, at land now or formerly of Barry and Evelyn Landry;

Thence N. 29° 32′ 05" W., 519.28 feet, by land now or formerly of Landry to a point at the end of a stone wall segment;

Thence N. 26° 26′ 23" W., by the wall and land now or formerly of Landry, 22.56 feet, to a point;

Thence N. 29° 01′ 00" W., by the wall and land now or formerly of Landry, 23.93 feet to an iron pin found at a corner, and land of the Commonwealth of Massachusetts, and land now or formerly of the aforesaid Meyer;

Thence Northwesterly, by land now or formerly of Meyer, 216.10 feet, to the first mentioned stake and stones on the southeasterly line of Coal Kiln Road, being the point and place of beginning.

Containing 5 acres, more or less.

Meaning and intending to take hereby the above premises, howsoever the same may be bounded and described, and including any and all fee interest in Coal Kiln Road which may be held by the supposed owner, and being the same premises described as Parcel III in a deed from Theodore T. Lambert, Maureen Biddle Lambert, and Violet E. Laska, Trustees of the Lambert and Biddle Realty Trust, to Theodore T. Lambert and Maureen Biddle Lambert, dated December 28, 1988, and recorded with Worcester District Registry of Deeds in Book 11844, Page 317.

The above description is derived, in part, from information shown upon a plan prepared by Andrysick Land Surveying, Inc. dated March 1990, entitled "Plan Of Land in Princeton, Mass. Prepared For Ernest & Lena Zottoli", which plan is recorded with Worcester District Registry of Deeds as Plan 124 in Plan Book 635.

The property described is represented upon Princeton Assessors Tax Map 13 as Parcel 69.

AND IN LIKE MANNER, for the same purposes and by virtue of the same powers, the said Metropolitan District Commission does hereby order the taking of and does hereby take in the name and for the benefit of the Commonwealth of Massachusetts, for the purposes of said acts and provisions, all trees on said land and structures affixed to said land, with the exception of the poles, wires, cables, conduits, pipes and their appurtenances, for the conveyance of water, sewage, steam, gas and electricity, and for the transmission of telephone and telegraph communications and data or signals by electrical or electronic or electromagnetic means of any kind, now lawfully in or upon said land, and excluding all easements of record on, over, under, across and through said land.

The Commission awards damages sustained by the supposed owner of the land hereinabove mentioned by reason of said taking, in the following sum:

OWNER	AWARD
Maureen Biddle Lambert	$ 50,000.00

The Commission further V O T E D: to approve an award of damages in the amount of $50,000.00, together with such damages and costs as required under General Laws, Chapter 79, Sections 6, 12, 39 and 44A.

1. Report of Mr. Gray, May 30, recommending that the Commission adopt an Order of Taking for acquisition of approximately 54.2232 acres of land owned by Robert G. Thibault, et ux, located in the Town of Princeton, Massachusetts, and to approve an award of damages in the amount of $170,000.00, together with such damages and costs as required under General Laws, Chapter 79, Sections 6, 12, 39 and 44A. Account No. 2420-8936.
The Commission V O T E D: to adopt an Order of Taking for acquisition of approximately 54.2232 acres of land owned by Robert G. Thibault, et ux, located in the Town of Princeton, Massachusetts.

ORDER OF TAKING
COMMONWEALTH OF MASSACHUSETTS
METROPOLITAN DISTRICT COMMISSION

Boston, June 1, 1995.

ORDERED: That the Metropolitan District Commission by virtue of the power and authority conferred upon it by Chapter 564 of the Acts of 1987, Chapter 36 of the Acts of 1992, and Section 117 of Chapter 92 of the General Laws, and acts in amendment thereof or in addition thereto and every other power and authority hereto enabling, for the purposes of said acts and provisions, does hereby order the taking of and does hereby take in fee for watershed preservation, protection and operation purposes, under the provisions of Chapter 79 of the General Laws, in the name and behalf of the Commonwealth of Massachusetts, the following described land situated in the Town of Princeton in the County of Worcester and Commonwealth of Massachusetts, namely:

A certain parcel of land lying on the easterly side of Coal Kiln Road in said Princeton, southeasterly of its intersection with Temple Road a.k.a. Whittaker Lane, more particularly bounded and described as follows:

Beginning at an iron pin set at a point on the easterly side of Coal Kiln Road, at land now or formerly of one Kowaleski, said point lying approximately 175 feet southwesterly of an iron pin set at the southerly corner of the intersection of Babcock Brook Lane and Coal Kiln Road;

Thence S. 65° 38′ 30" E., 230.31 feet, by land, now or formerly, of Kowaleski, to a point at other land, now or formerly, of Robert G. & Marion L. Thibault, shown as Lot # 1, on a plan referenced at the conclusion of this description;

Thence S. 37° 05′ 47" E., 219.74 feet, to a point;

Thence S. 65° 38′ 30" E., 190.00 feet, to a point;

Thence N. 24° 21′ 30" E., 330.00 feet, to a point;

Thence N. 65° 38′ 30" W., 185.00 feet, to a corner, and land now or formerly of one Mc Dermott, the last four courses being by Lot # 1;

Thence N. 38° 28′ 38" E., 298.64 feet, by land now or formerly of McDermott to an iron pin found at land now or formerly of one Kowalczyk;

Thence N. 38° 36′ 02" E. 237.84 feet, by land now or formerly of Kowalczyk, to the northernmost point of the property herein being described, at land now or formerly of one Gillis;

Thence S. 28° 20′ 20" E., 314.56 feet, by land now or formerly of Gillis to an iron pin found at land of the Town of Princeton Elementary School;

Thence S. 28° 55′ 00" E., 1208.07 feet, by land of the Town to a point at a corner of stone walls, at land now or formerly of Guillot & Ewick;

Thence S. 29° 08′ 26" E., by the stone wall, 341.44 feet, to a drill hole found;

Thence S. 28° 56′ 58" E., by the stone wall, 346.65 feet, to a corner of walls;

Thence S. 66° 16′ 50" W., by the wall, 360.58 feet, to a drill hole found at or near the end of the wall;

Thence S. 67° 00′ 10" W., 356.23 feet, to a stake in stones found at land now or formerly of one Kush, the last four courses being by land now or formerly of Guillot & Ewick;

Thence S. 67° 33′ 54" W., 599.63 feet, by land now or formerly of Kush to another stake in stones found, at land now or formerly of one Stragliotta;

Thence S. 64° 46′ 21" W., 428.97 feet, by land now or formerly of Stragliotta to an iron pin found at the easternmost corner of the property being described, at land formerly of Davis Farm Trust, now of the Commonwealth of Massachusetts, and land now or formerly of one Pepper;

Thence N. 27° 21′ 08" W., 508.29 feet, by land now or formerly of Pepper to a point at land now or formerly of one Poisson;

Thence N. 31° 12′ 40" E., 1281.95 feet, to an iron pin found;

Thence N. 65° 01′ 29" W., 913.70 feet, to an iron pin found at a point on the easterly line of Coal Kiln Road, the last two courses being by land now or formerly of Poisson;

Thence N. 24° 20′ 58" E., by the easterly line of the Road, 274.52 feet, to the first mentioned iron pin, being the point and place of beginning.

Containing 54.2232 acres and being shown as Lot # 2 on a plan entitled "Definitive Subdivision Plan of Land Owned By Robert G. Thibault & Marion L. Thibault - Coal Kiln Road, Princeton, Massachusetts," dated September 16, 1993, and revised June 22, 1994, prepared by Cullinan Engineering Co., Inc., and recorded with Worcester District Registry of Deeds as Plan 18 in Plan Book 684.

Meaning and intending to take hereby the above premises, howsoever the same may be bounded and described, and including any and all fee interest in Coal Kiln Road which may be held by the supposed owners, and being the largest portion of the premises described in a deed from Stella G. Harrington Keith to Robert G. Thibault and Marion L. Thibault, dated July 9, 1985 and recorded with Worcester District Registry of Deeds in Book 8822, Page 238.

The above described property is represented upon Princeton Assessors Tax Map 13 as most of Lot 74.

AND IN LIKE MANNER, for the same purposes and by virtue of the same powers, the said Metropolitan District Commission does hereby order the taking of and does hereby take in the name and for the benefit of the Commonwealth of Massachusetts, for the purposes of said acts and provisions, all trees on said land and structures affixed to said land, with the exception of the poles, wires, cables, conduits, pipes and their appurtenances, for the conveyance of water, sewage, steam, gas and electricity, and for the transmission of telephone and telegraph communications and data or signals by electrical or electronic or electromagnetic means of any kind, now lawfully in or upon said land, and excluding all easements of record on, over, under, across and through said land.

The Commission awards damages sustained by the supposed owners of the land hereinabove mentioned by reason of said taking, in the following sum:

OWNERS	AWARD
Robert G. Thibault and Marion L. Thibault	$ 170,000.00

The Commission further V O T E D: to approve an award of damages in the amount of $170,000.00, together with such damages and costs as required under General Laws, Chapter 79, Sections 6, 12, 39 and 44A.

Adjourned at 12:05 p.m., to meet on Thursday, June 8, 1995, at 10:00 a.m.

William J. Cusack
Secretary

Record of the Three Thousand Seven Hundred and Thirty Second (3732nd) meeting of the Metropolitan District Commission duly called and held at 20 Somerset Street, Boston, Massachusetts, on Thursday, June 8, 1995 at 10:00 a.m.

Present, Commissioner Balfour and Associate Commissioners Elkort, Settles and Wu.

The Records of the Commission Meeting held on May 25, 1995 were read and approved.

Action was taken upon the following matters relating to the Engineering and Construction Division:

1. Report of Messrs. Faucher and Jackson, May 24, recommending approval of an extension of time, for administrative purposes only, from June 30, 1995 to September 30, 1995, on Contract No. P93-1661-C1A, with I. W. Harding Construction Co., Inc., for Improvements to Father Francis A. Ryan Playground.
(The extension is recommended under provision of Article XXII. This extension shall in no way effect the liquidated damages provisions of Article XXI. The extension shall not act as a waiver on the part of the Commission or in any of its rights under the Contract).
The Commission V O T E D: to approve an extension of time from June 30, 1995 to September 30, 1995, as recommended by Messrs. Faucher and Jackson in their report of May 24, 1995, to be effective, however, only upon receipt of the written consent of the bonding company, if required, and on condition that no further request will be made for additional compensation and that this extension of time shall in no way effect the liquidated damages provisions of Article XXI and that this extension shall not act as a waiver on the part of the Commission or in any of its rights under the Contract.

2. Report of Messrs. Faucher and Arinella, May 19, submitting for approval Project Summary, Project Justification, Work Schedule and requesting authorization to advertise Project No. P92-1646-C2A, for Installation of Submarine Cables, Beades Drawbridge, Dorchester.
Estimated Cost - $100,000.00.
Time for Performance - six months.
Account No. 2490-8911.
The Commission V O T E D: Approved.
The Commission further V O T E D: authorization to advertise Project No. P92-1646-C2A, for Installation of Submarine Cables, Beades Drawbridge, Dorchester.

3. Report of Messrs. Faucher, Brooks and Haider, June 1, recommending approval of an extension of time from June 30, 1995 to August 31, 1995, on Contract No. P93-1687-M2A, with P. H. Mechanical Corp., for Servicing of H.V.A.C. Systems at Various MDC Facilities, pending advertisement and award of a new Contract.
The Commission V O T E D: to approve an extension of time, pending advertisement and award of a new Contract, from June 30,

1995 to August 31, 1995, as recommended by Messrs. Faucher Brooks and Haider in their report of June 1, 1995, to be effective, however, only upon receipt of the written consent of the bonding company, and on condition that no further request will be made for additional compensation.

1. Report of Messrs. Faucher and Orfant, May 26, submitting for approval Project Summary, Project Justification, Work Schedule and requesting authorization to advertise Project No. P95-1807-D1A, for Dorchester Shores West Link Project.
Total Cost - $200,000.00.
Time for Performance - 12 months.
Account No. 2440-8956.
The Commission V O T E D: Approved.
The Commission further V O T E D: authorization to advertise Project No. P95-1807-D1A, for Dorchester Shores West Link Project.

2. Report of Mr. Faucher and Ms. Pomorska, June 1, recommending approval and ratification of the action of Acting Director Faucher resulting in revisions in quantities on Contract No. P93-1666-C1A, with Tri-State Signal, Inc., for Reconstruction of Traffic Signal Systems at Two Locations on Gallivan Boulevard, Dorchester, as follows -

Item No. 16 - Vehicle Signal	- $4,400.00
Item No. 18 - Pedestrian Signal	- $3,200.00
Item No. 19 - Pedestrian Push Button	- $ 300.00
Item No. 25 - Granite Edgestone	- $ 240.00
Item No. 31 - Detector	- $ 860.00
Item No. 36 - Pavement Marking	- $ 403.00
Total	- $9,403.00

(At no increase in Contract cost as the revisions will be offset by unused quantities in Item No. 8 - Three Inch Galvanized Steel Conduit).
The Commission V O T E D: to approve and ratify the action of Acting Director Faucher which resulted in revisions in quantities on Contract No. P93-1666-C1A, with Tri-State Signal, Inc.

3. Report of Messrs. Faucher and Soroka, May 18, recommending approval of the request of Coviello Electric and General Contracting Co., Inc., General Contractor, to engage the services of the following sub-contractors, on Contract No. P95-1771-C1A, for Installation of Mid-Block Pedestrian Signal, Day Boulevard, at the Carson Beach Bathhouse, South Boston -

Liddell Brothers, Inc.

Item No. 013-010 Pavement Marking Removal Thermoplastic	$ 300.00
Item No. 012-020 Pavement Marking Removal - Paint	$ 200.00
Item No. 015-010 4" Reflectorized Line - Thermoplastic	$ 100.00
Item No. 016-010 12" Reflectorized Line - Thermoplastic	$ 312.50
Item No. 022-010 Safety Signs for Construction Operation	$ 576.00
Sub-Total	**- $1,488.50**

LDC Construction, Inc.

Item No. 005-010	$ 600.00
Traffic Signal Post, Base & Foundation	
Item No. 010-010	$ 900.00
Electric Handhole	
Item No. 017-010	$ 600.00
Cement Concrete Sidewalk	
Item No. 020-010	$ 60.00
Granite Curb Corner 2" Radius Type B	
Item No. 021-010	$ 625.00
Granite Edgestone Type VA-4	
Item No. 024-010	$ 75.00
Cement Concrete in Front of Edgestone	
Sub-Total -	**$2,860.00**
Grand-Total =	**$4,348.50.**

The Commission V O T E D: Approved as recommended by Messrs. Faucher and Soroka in their report of May 18, 1995.

Action was taken upon the following matter relating to the Watershed Management Division:

1. Report of Messrs. McGinn and Robert O'Connor, May 31, on proposals for the purchase of roadside sawlogs located on the Wachusett Reservoir Watershed.
The Commission V O T E D: to accept the highest qualified bid, that of King-Chaffee Logging, of $8,838.23; to purchase approximately 77,840 board feet of logs, 112 cords of pulp and 32 cords of pulp in tops on Roadside Sale No. 5 - Wachusett Reservoir Watershed.

Action was taken upon the following matter relating to the Recreational Facilities and Programs Division:

2. Report of Mr. Testa, June 7, requesting authorization to enter into a Open-Order Contract of $48,000.00, to fund salaries for approximately 40 interns, for an MDC Marching Band, for the period from July 1, 1995 through August 27, 1995.
Account No. 2440-5000-CC.
The Commission V O T E D: Approved as requested by Mr. Testa in his report of June 7, 1995.

Action was taken upon the following matter relating to the Office of Real Property:

1. Report of Mr. Gray, June 2, recommending that the Commission adopt an Order of Taking for acquisition of approximately 3.47 acres of land owned by Barry Landry, et ux, located in the Town of Princeton, Massachusetts, and to approve an award of damages in the amount of $57,000.00, together with such damages and costs as required under General Laws, Chapter 79, Sections 6, 12, 39 and 44A. Account No. 2420-8936.
The Commission V O T E D: to adopt an Order of Taking for acquisition of approximately 3.47 acres of land owned by Barry Landry, et ux, located in the Town of Princeton, Massachusetts.

ORDER OF TAKING
COMMONWEALTH OF MASSACHUSETTS
METROPOLITAN DISTRICT COMMISSION

Boston, June 8, 1995.

ORDERED: That the Metropolitan District Commission by virtue of the power and authority conferred upon it by Chapter 564 of the Acts of 1987, Chapter 36 of the Acts of 1992, and Section 117 of Chapter 92 of the General Laws, and acts in amendment thereof or in addition thereto and every other power and authority hereto enabling, for the purposes of said acts and provisions, does hereby order the taking of and does hereby take in fee for watershed preservation, protection and operation purposes, under the provisions of Chapter 79 of the General Laws, in the name and behalf of the Commonwealth of Massachusetts, the following described land situated in the Town of Princeton in the County of Worcester and Commonwealth of Massachusetts, namely:

A certain parcel of land lying on the southerly side of Sterling Road, a short distance southeasterly of the intersection of Bullard and Sterling Roads, in the Town of Princeton and County of Worcester, more particularly bounded and described as follows:

Beginning at the northeasterly corner of the property being described herein, at an iron pin in the southerly line of Sterling Road, a Worcester County Highway, at a point northwesterly 68.89 feet, as measured by the curve of the highway layout, from a Worcester County Highway Bound found;

Thence S. 47° 43′ 34" E., 188.00 feet, to an iron pin;

Thence S. 31° 17′ 20" W., 250.00 feet, to an iron pin;

Thence S. 13° 13′ 50" W., 179.00 feet, to an iron pin;

Thence N. 63° 07′ 35" W., 415.91 feet, to an iron pipe found at land now or formerly of Maureen Biddle Lambert, the last four courses being by "Lot 2" as shown upon a recorded survey plan referenced at the conclusion of this description;

Thence N. 29° 32′ 05" W., 519.28 feet, to the end of a wall;

Thence N. 26° 26′ 23" W., 22.56 feet, by the wall, to the end of the wall;

Thence N. 29° 01′ 00" W., 23.93 feet, to an iron pin at a corner and land now or formerly of Paul J. & Donna M. Meyer, and of land formerly of Tenney Farm, Inc., now of the Commonwealth of Massachusetts, the last three courses being by land, now or formerly of Lambert;

Thence S. 49° 14′ 08" E., 734.06 feet, to an iron pin set at a corner;

Thence N. 32° 45′ 38" E., 187.88 feet, to an iron pin;

Thence N. 47° 43′ 34" W., 280.38 feet, to an iron pin in the southerly line of Sterling Road, the last four courses being by land of the Commonwealth;

Thence Southeasterly by a curve in the southerly line of Sterling Road, an arc distance of 225.00 feet to the first mentioned iron pin, being the point and place of beginning.

Containing 3.47 acres, as shown as Lot 3, upon a survey plan entitled "Plan of Land in - Princeton, Mass. - Prepared For -Ernest & Lena Zottoli," dated March 1990, prepared by Andrysick Land Surveying, Inc. and recorded with the Worcester District Registry of Deeds, as Plan 124 in Plan Book 635.

Meaning and intending to take hereby the above premises, howsoever the same may be bounded and described, and including any and all fee interest in Sterling Road which may be held by the supposed owners, and being the same premises described in a deed from William E. Zottoli and Paul S. Zottoli to Barry Landry and Evelyn Landry, dated March 12, 1993 and recorded with Worcester District Registry of Deeds at Book 15026, Page 372.

The above described property is represented upon Princeton Assessors Tax Map 13, Revised to January 1, 1991, as a portion of Parcel 67.

AND IN LIKE MANNER, for the same purposes and by virtue of the same powers, the said Metropolitan District Commission does hereby order the taking of and does hereby take in the name and for the benefit of the Commonwealth of Massachusetts, for the purposes of said acts and provisions, all trees on said land and structures affixed to said land, with the exception of the poles, wires, cables, conduits, pipes and their appurtenances, for the conveyance of water, sewage, steam, gas and electricity, and for the transmission of telephone and telegraph communications and data or signals by electrical or electronic or electromagnetic means of any kind, now lawfully in or upon said land, and excluding all easements of record on, over, under, across and through said land.

The Commission awards damages sustained by the supposed owners of the land hereinabove mentioned by reason of said taking, in the following sum:

OWNERS	AWARD
Barry Landry and Evelyn Landry	$ 57,000.00

The Commission further V O T E D: to approve an award of damages in the amount of $57,000.00, together with such damages and costs as required under General Laws, Chapter 79, Sections 6, 12, 39 and 44A.

1. Report of Mr. Gray, June 2, recommending that the Commission adopt an Order of Taking for acquisition of approximately 1.0612 acres of land owned by Stephen T. Clark, et al, Trustees of 50 Easton Ave. Real Trust, or the Trust for Public Land, located in the City of Boston, Massachusetts, and to approve an award of damages in the amount of $300,000.00, together with such damages and costs as required under General Laws, Chapter 79, Sections 6, 12, 39 and 44A. Account No. 2440-8886.
The Commission V O T E D: to adopt an Order of Taking for acquisition of approximately 1.0612 acres of land owned by Stephen T. Clark, et al, Trustees of 50 Easton Ave. Real Trust, or the Trust for Public Land, located in the City of Boston, Massachusetts.

ORDER OF TAKING
COMMONWEALTH OF MASSACHUSETTS
METROPOLITAN DISTRICT COMMISSION

Boston, June 8, 1994.

ORDERED: That the Metropolitan District Commission by virtue of the power and authority conferred upon it by Chapter 564 of the Acts of 1987, and Sections 33 and 79 of Chapter 92 of the General Laws, and acts in amendment thereof or in addition thereto and every other power and authority hereto enabling, for the purposes of said acts and provisions, does hereby order the taking of and does hereby take in fee for park and reservation and protection of open space purposes, under the provisions of Chapter 79 of the General Laws, in the name and behalf of the Commonwealth of Massachusetts, the following described land situated in the City of Boston in the County of Suffolk and Commonwealth of Massachusetts, namely:

A certain parcel of land and buildings thereon in that part of Boston formerly Hyde Park, bounded and described as follows:

Southeasterly	by land now or formerly of the Boston & Providence Railroad Corporation, three hundred fifty-seven and 61/100 (357.61) feet;
Westerly	three hundred eighty-one and 16/100 (381.16) feet;
Northwesterly	fifty-one and 74/100 (51.74) feet, by land now or formerly of the Commonwealth of Massachusetts; and

Northeasterly by said Commonwealth land, by land now or formerly of Mary Prescott, by the end of Easton Avenue, and by land now or formerly of Ulick Costello, two hundred thirty-three (233.07) feet.

All of said boundaries are determined by the Land Court to be located as shown on a plan drawn by N. S. Buchanan, Surveyor, dated July 17, 1917, as modified and approved by the Court, filed in the Land Registration Office as plan No. 6547-A, a copy of a poriton of which is filed with certificate of title No. 9738.

Meaning and intending to take hereby the above premises, howsoever the same may be bounded and described, and including any and all fee interest in Easton Avenue which may be held by the supposed owners, and being the same premises described in a deed from Walsh Co., Inc., to Stephen T. Clark, et al, Trustees of 50 Easton Ave. Real Estate Trust, dated May 25, 1982, and filed with the Suffolk County Registry District of the Land Court as document No. 362576, with Certificate of Title No. 94668.

AND IN LIKE MANNER, for the same purposes and by virtue of the same powers, the said Metropolitan District Commission does hereby order the taking of and does hereby take in the name and for the benefit of the Commonwealth of Massachusetts, for the purposes of said acts and provisions, all trees on said land and structures affixed to said land, with the exception of the poles, wires, cables, conduits, pipes and their appurtenances, for the conveyance of water, sewage, steam, gas and electricity, and for the transmission of telephone and telegraph communications and data or signals by electrical or electronic or electromagnetic means of any kind, now lawfully in or upon said lands, and excluding all easements of record on, over, under, across and through said land, including the following: two takings by the Town of Hyde Park, one for sewer purposes, dated September 29, 1908, duly recorded in Book 1091, Page 449, and one for a footway, shown on said plan as B Street Footway, dated October 29, 1910, duly recorded in Book 1162, Page 222; appurtenenat easements as reserved in a deed from Henry S. Bunton to the Commonwealth of Massachusetts, dated September 13, 1900, duly recorded in Book 879, Page 550; and two takings by the Commonwealth of Massachusetts, acting by its Metropolitan District Commission, for flood control purposes, filed and registered as documents Nos. 270429 and 286051.

The concurrence of the Park and Recreation Commissioners of the City of Boston, pursuant to section 79 of Chapter 92 of the General Laws, as amended, is either attached hereto or shall be recorded with said Deeds and made a part hereof.

The Commission awards damages sustained by the supposed owners of the land hereinabove mentioned by reason of said taking, in the following sums:

OWNERS	AWARD
Stephen T. Clark, et al, Trustees of 50 Easton Ave. Real Estate Trust, or The Trust for Public Land	$ 300,000.00

The Commission further V O T E D: to approve an award of damages in the amount of $300,000.00, together with such damages and costs as required under General Laws, Chapter 79, Sections 6, 12, 39 and 44A.

The following matter was placed on the agenda for the information of the Commission:

1. The following schedules were approved for payment by the Commissioner during the period from April 1, 1995 to April 30, 1995.

Expenditures $2,170,930.59

Adjourned at 11:15 a.m., to meet on Thursday, June 15, 1995, at 10:00 a.m.

William J. Cusack
Secretary

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Record of the Three Thousand Seven Hundred and Thirty Third (3733rd) meeting of the Metropolitan District Commission duly called and held at 20 Somerest Street, Boston, Massachusetts, on Thursday, June 15, 1995 at 10:00 a.m.

Present, Commissioner Balfour and Associate Commissioners Carr, Elkort, Settles and Wu.

The Records of the Commission Meeting held on June 1, 1995 were read and approved.

The Secretary submitted for signature the following papers which were signed by the Commissioner and four Associate Commissioners:

1. Contract No. P95-1793-C1A, dated June 15, 1995, with G. V. W., Inc., for Removing and Replacing Shade Shelters on Day Boulevard, South Boston.

2. Contract-Agreement with Hampshire College, dated June 15, 1995, to Complete an Analysis of the 30 Years of Forest Inventory Data and Collection of Supplemental Data for the 58,000 Acres of MDC Lands at Quabbin Reservoir.

3. Amendment to Contract No. P92-1655-M1A, dated June 15, 1995, with Conan Inspection, Inc., Arnold Green Testing Laboratories Division, for Steel Inspection, Testing, Metallurgy, Etc.

4. Amendment, dated June 15, 1995, to Contract-Agreement No. WM94-007-S1A, with GZA GeoEnvironmental, Inc., for Emergency Site Investigation at Goodnough Dike, Quabbin Reservoir.

5. Amendment, dated June 15, 1995, to Contract No. P95-1759-X1A, with Weston and Sampson Engineers, Inc., for Consultation and Preparation and Submission of a Management Plan for the Landfill Operation of a Solid Waste Yard at Central Services, East Street, Cambridge Site.

6. Amendment, dated June 15, 1995, to Contract No. P93-1680-M1A, with PSI/CWB Associates, Inc., for Inspection and Testing of Concrete, Bituminous, Soils, Paint, Etc.

7. At this point, a request was made to Amend the vote of June 8, 1995, at which time the Commission approved a Blanket Contract with Interns, for an MDC Marching Band. The requested Amendment authorizes Commissioner Balfour to execute the Contract on behalf of the Commission.

Action was taken upon the following matters relating to the Engineering and Construction Division:

8. Report of Messrs. Faucher and Mayhew, June 1, on bids for Installation of New Dasherboards at the William F. Devine Skating Rink, Dorchester.
(Messrs. Faucher and Mayhew recommend acceptance of the second lowest bid, that of G. V. W., Inc., of $141,435.00. The low bidder was not eligible because of failure to submit a

Certificate of Eligibility and Update Statement).
The Commission V O T E D: to accept the second lowest bid, that of G. V. W., Inc., of $141,435.00.

1. Report of Messrs. Faucher, Brooks and Haider, June 8, recommending approval of an extension of time from June 15, 1995 to August 1, 1995, on Contract No. P93-1701-C1A, with Allstate Drilling & Pump Service, Inc., d/b/a E. Ryder Well Drilling, for Well Installation at Camp Nihan, Saugus, to insure completion of testing, delivery and installation of equipment.
The Commission V O T E D: to approve an extension of time from June 15, 1995 to August 1, 1995, as recommended by Messrs. Faucher, Brooks and Haider in their report of June 8, 1995, to be effective, however, only upon receipt of the written consent of the bonding company, and on condition that no further request will be made for additional compensation.

2. Report of Messrs. Faucher and Arinella, June 2, requesting approval of an extension of time from June 30, 1995 to July 31, 1995, on Contract No. P93-1692-M1A, with Balfour Engineering Co., Inc., for Service to Hydraulic Power Systems - Flood Control/ Navigation Sites, pending prequalification of new Contractors who will be bidding on the new Contract.
(At no additional Contract cost).
At the request of Mr. Arinella, the Commission agreed to extend the contract to September 30, 1995.
The Commission V O T E D: to approve an extension of time from June 30, 1995 to September 30, 1995, as recommended by Messrs. Faucher and Arinella in their report of June 2, 1995, to be effective, however, only upon receipt of the written consent of the bonding company, and on condition that no further request will be made for additional compensation.

3. Report of Messrs. Faucher and Arinella, June 2, requesting approval of an extension of time from June 30, 1995 to July 31, 1995, on Contract No. P93-1691-M1A, with RDA Construction Corp., for Service to Various Underwater Structures at Flood Control/Navigation Sites, pending prequalification of new Contractors who will be bidding on new Contract.
(At no additional Contract cost).
At the request of Mr. Arinella, the Commission agreed to extend the contract to September 30, 1995.
The Commission V O T E D: to approve an extension of time from June 30, 1995 to September 30, 1995, as recommended by Messrs. Faucher and Arinella in their report of June 2, 1995, to be effective, however, only upon receipt of the written consent of the bonding company, and on condition that no further request will be made for additional compensation.

4. Report of Messrs. Faucher and Machado, June 2, recommending ratification and approval of the action of Acting Director Faucher resulting in Extra Work Order No. 1, in the amount of $49,485.00, for Furnishing and Installing Baseball and Softball Backstops (2 at Hormel Field, Medford and 3 at Liederman Field, Boston), on Contract No. P94-1734-C1A, with Citiworks, Inc., for

Installation of Closure Gates, Guard Rail and Fences at Various Locations Throughout the Metropolitan District.
(At no increase in Contract cost as the Cost of the Extra Work will be offset by unused quantities in Item Nos. 048-010 - Boston Pattern Fence, 034-010 - Wood Guard Rail, 046-010 - 12 Feet High Chain Link Fence and 047-010 - 3 Strand and 5 Strand Barbed Wire).
The Commission V O T E D: to ratify and approve the action of Acting Director Faucher which resulted in Extra Work Order No. 1, in the amount of $49,485.00.

1. Report of Messrs. Faucher and Carrigan, June 7, recommending the following on Contract No. P94-1732-C1A, as requested by the Contractor, Bardon Trimount, Inc., for Resurfacing of MDC Parkways at Various Locations Throughout the Metropolitan District -
(a) An extension of time from June 12, 1995 to July 31, 1995, due to the need for additional resurfacing work.
(b) A revision in quantities on Item No. 030-010 - Monthly Transportation Vehicle - $800.00.
(At no increase in Contract cost as the revision will be offset by unused quantities in Item No. 014-010 - Pavement Trimming).
The Commission V O T E D: to approve an extension of time from June 12, 1995 to July 31, 1995, to be effective, however, only upon receipt of the written consent of the bonding company, and on condition that no further request will be made for additional compensation.
The Commission further V O T E D: to approve the revision in quantities, as recommended by Messrs. Faucher and Carrigan in their report of June 7, 1995.

2. Report of Messrs. Jackson and Faucher, May 12, recommending approval of the action of Acting Director Faucher, resulting in the following Extra Work Orders on Contract No. P93-1668-C1A, with Ledgewood Construction Co., Inc., for Construction of New Playground at Castle Island, South Boston -

Extra Work Order No. 1	**$1,804.39**
Installation of an additional 60 linear feet of one inch copper water line.	
Extra Work Order No. 2	**$1,113.58**
Emergency repair to an existing water line.	
Total -	**$2,917.97**

(Funding from Account No. 2440-8889).
The Commission V O T E D: to approve Extra Work Order No. 1, in the amount of $1,804.39.
The Commission further V O T E D: to approve Extra Work Order No. 2, in the amount of $1,113.58.

3. Report of Messrs. Faucher and Sacco, June 8, recommending approval of the request of the Contractor, A & M Roofing and Sheet Metal Co., Inc., for an extension of time from June 30, 1995 to October 30, 1995, on Contract No. P95-1788-C1B, for Critical Repairs to MDC Swimming Pools and Service Buildings, due

to delay caused by a bid protest.
(At no increase in Contract cost).
The Commission V O T E D: to approve an extension of time from June 30, 1995 to October 30, 1995, as recommended by Messrs. Faucher and Sacco in their report of June 8, 1995, to be effective, however, only upon receipt of the written consent of the bonding company, and on condition that no further request will be made for additional compensation.

1. Report of Messrs. Faucher and Higgott, June 9, recommending approval of the request of the Contractor, G. V. W., Inc., for an extension of time from June 30, 1995 to August 31, 1995, on Contract No. P95-1793-C1A, for Removing and Replacing Shade Shelters on Day Boulevard, South Boston, due to the need to approve shop drawings, processing the contract and ordering materials.
(At no increase in Contract cost).
The Commission V O T E D: to approve an extension of time from June 30, 1995 to August 31, 1995, as recommended by Messrs. Faucher and Higgott in their report of June 9, 1995, to be effective, however, only upon receipt of the written consent of the bonding company, and on condition that no further request will be made for additional compensation.

2. Report of Messrs. Faucher and Sacco, June 8, recommending approval of Extra Work Claim No. 15, in the amount of $62,005.40, for resolution of claims relative to work performed by subcontractor Stockton Electrical Co., on Contract No. P82-1047-C1A, with J. F. White Contracting Company, for Rehabilitation of General Edwards Bridge, Lynn/Revere.
(At no increase in Contract cost as the work will be offset by unused quantities in Item No. 040-010 - Structural Steel Girder Repair).
The Commission V O T E D: to approve Extra Work Claim No. 15, in the amount of $62,005.40, as recommended by Messrs. Faucher and Sacco in their report of June 8, 1995.

3. Report of Messrs. Faucher and Machado, June 9, recommending approval of the request of D & R General Contracting, Inc., Contractor on Contract No. P95-1802-C1A, for Walkway Improvements along the MDC Harbor Beaches Between Winthrop, Boston and Quincy, for an extension of time from June 30, 1995 to September 30, 1995, due to a delay in receiving benches, receipt of an order of conditions from the Boston Conservation Commission and a delay in receiving contractor's insurance certificate.
(At no increase in Contract cost).
The Commission V O T E D: to approve an extension of time from June 30, 1995 to September 30, 1995, as recommended by Messrs. Faucher and Machado in their report of June 9, 1995, to be effective, however, only upon receipt of the written consent of the bonding company, and on condition that no further request will be made for additional compensation.

4. Report of Messrs. Faucher and Carrigan, June 8, recommending approval of the request of J. Marchese & Sons, Inc., Contractor

on Contract No. P94-1733-C1A, for Repairing/Replacing Bituminous and Cement Concrete Sidewalks and Curbing, Various Locations Throughout the Metropolitan District, for a revision in quantities on Item No. 001-010 - Unclassified Excavation - $3,000.00, due to the need for additional work not included in the Contract.
(At no increase in Contract cost as the revision will be offset by unused quantities in Item No. 004-010 - Loam Borrow).
The Commission V O T E D: Approved as recommended by Messrs. Faucher and Carrigan in their report of June 8 1995.

1. Report of Messrs. Faucher and Lenhardt, June 9, recommending approval of the following on Contract No. P95-1808-C1A, with Narayana Construction Corp., Inc., for Emergency Girder Repair John J. Beades Drawbridge, Dorchester -

Extra Work Claim No. 1	**$5,500.00**
Adjust girder	
Revision in Quantities	**$2,500.00**
Item No. 4 - Boston Police Detail	
Total -	**$8,000.00**

(Funding from Account No. 2490-8911).
The Commission V O T E D: to approve Extra Work Claim No. 1, in the amount of $5,500.00.
The Commission further V O T E D: to approve the Revision in Quantities as recommended by Messrs. Faucher and Lenhardt in their report of June 9, 1995.

2. Report of Messrs. Faucher and Haider, June 12, on bids for Installation of a 10" Water Line at the Blue Hills Ski Area, Canton. Contract No. P95-1778-C1A.
(Messrs. Faucher and Haider recommend acceptance of the lowest bid received, that of Ledgewood Construction Co., Inc., of $71,896.00).
The Commission V O T E D: to accept the lowest bid received, that of Ledgewood Construction Co., Inc., of $71,896.00.
Associate Commissioner Elkort abstained from voting on this matter.

3. Report of Messrs. Faucher and Gordon Graham, June 12, requesting that the Commission amend its vote of February 23, 1995, approving and authorizing advertisement of Project No. P95-1759-C1A, for Removal of Street Sweepings and Contaminated Soils from Central Service Yards, at an estimated cost of $500,000.00, by approving an Open Order Contract for private equipment (30 yard trailer dumps) to be hired through Service Contracts, at a cost not-to-exceed $200,000.00, to haul the material to a City of Lowell landfill, resulting in a savings to the Commission of $280,000.00, from the original estimate. They further request authorization for Commissioner Balfour to execute the Service Contracts on behalf of the Commission. Account No. 2490-8910.
The Commission V O T E D: to amend its vote of February 23, 1995, approving and authorizing advertisement of Project No. P95-1759-C1A, for Removal of Street Sweepings and Contaminated Soils from Central Service Yards, at an estimated cost of

$500,000.00.
The Commission further V O T E D: to approve an Open Order Contract for private equipment (30 yard trailer dumps) to be hired through Service Contracts, at a cost not-to-exceed $200,000.00, to haul the material to a City of Lowell landfill, resulting in a savings to the Commission of $280,000.00, from the original estimate.
The Commission further V O T E D: authorization for Commissioner Balfour to execute the Service Contracts on behalf of the Commission.

Action was taken upon the following matter relating to the Watershed Management Division:

1. Report of Mr. McGinn, May 25, requesting approval of the development and execution of an Employment Contract with Sharon E. McGregor for the services as a liaison between the Division, the MDC Commissioner, the MDC Divisions, other water resources agencies of the Commonwealth - including the Secretary of the Executive Office of Environmental Affairs.
Time for Performance - July 1, 1995 through June 30, 1996.
Cost - $49,966.20.
Account No. 2420-1400.
The Commission V O T E D: Approved.
The Secretary then submitted for signature Employment Contract, dated June 15, 1995, with Sharon E. McGregor, which was signed by the Commissioner and four Associate Commissioners.

Action was taken upon the following matter relating to the Recreational Facilities and Programs Division:

2. Report of Mr. Testa, June 9, submitting for approval and execution Contract-Agreement with Angelo Picardi for entertainment services for the Back to the Beaches event on June 24, 1995, at Castle Island, South Boston.
Cost not-to-exceed - $5,000.00.
Account No. 2448-0000.
The Commission V O T E D: Approved.
The Secretary then submitted for signature Contract-Agreement, dated June 15, 1995, with Angelo Picardi, which was signed by the Commissioner and four Associate Commissioners.

Action was taken upon the following matter relating to the Office of Planning:

3. Report of Mrs. O'Brien and Mr. Driscoll, June 8, requesting approval and execution of an Amendment to Contract-Agreement No. PL92-017-S1A, with Carol R. Johnson Associates, for Upper Charles River Restoration - Master Plan and Design Services, which calls for
(a) An extension of time from June 30, 1995 to December 31, 1995.
(b) An increase in Contract obligation of $20,950.00 - which increases cost of project from $348,600.00 to $369,550.00, due to complications encountered during inventory and mapping phase of project.

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Following a discussion concerning the additional aerial survey cost, the Commission V O T E D: Approve an extension of time from June 30, 1995 to December 31, 1995 and to approve the request of Harry S. Fuller, Executive Vice President of Carol R. Johnson Associates, Inc., as outlined in his letter of June 7, 1995, for additional funds in the amount of $1,650.00 for wetlands flagging services - $13,500.00 for property line mapping, but requested that Mrs. O'Brien and Mr. Jewett negotiate the request for $5,800.00 of additional aerial survey costs - for a total upset limit of $20,950.00.
The Secretary then submitted for signature Amendment, dated June 15, 1995, with Carol R. Johnson Associates, Inc., which was signed by Commissioner Balfour.
The Commission then requested that Mrs. O'Brien and Mr. Jewett update the Commission with the results of their negotiations at a future Commission Meeting.

Action was taken upon the following Various Matters:

1. Report of Mr. Jewett, June 2, recommending approval of and authorization for Commissioner Balfour to execute, on behalf of the Commission, Amendments to Open Order Contract No. RP95-0005, for Park Land Acquisition Program FY95 - Professional Real Estate Title Examination Services - Middlesex, Suffolk, Norfolk, Essex and Plymouth Counties, as approved by the Commission at its Meeting of March 23, 1995, which increase the value of the following two Contracts -

	FROM	TO
Cohan & Associates	$ 6,925.00	$ 7,425.00
George S. Norton, Esquire	$14,070.00	$15,005.00

Account No. 2441-9886.
The Commission V O T E D: Approved.
The Commission further V O T E D: authorization for Commissioner Balfour to execute, on behalf of the Commission, Amendments to Open Order Contract No. RP95-0005.

2. Report of Mr. Jewett, June 2, recommending approval of and authorization for Commissioner Balfour to execute, on behalf of the Commission, Amendments to Open Order Contract No. RP95-0002, for Watershed Land Acquisition Program FY95 - Professional Real Estate Title Examination Services Wachusett, Ware River and Quabbin Watershed Areas - Worcester and Franklin Counties, as approved by the Commission at its Meeting of January 26, 1995, which increases the value of the following Contracts -

	FROM	TO
George S. Norton, Esquire	$ 5,560.00	$ 6,760.00
Nelson and O'Connell Title Co., Inc.	$ 2,800.00	$ 3,600.00

Account No. 2421-9936.
The Commission V O T E D: Approved.
The Commission further V O T E D: authorization for Commissioner Balfour to execute, on behalf of the Commission, Amendments to Open Order Contract No. RP95-0002.

3. Report of Mr. Jewett, June 2, recommending approval of and

authorization for Commissioner Balfour to execute, on behalf of the Commission, an Amendment to Open Order Contract No. RP95-0003, for Watershed Land Acquisition Program FY95 - Professional Real Estate Land Survey Services Wachusett, Ware River and Quabbin Watershed Areas - Worcester and Franklin Counties, as approved by the Commission at its Meeting of January 26, 1995, which increases the value of Contract, as follows -

	FROM	TO
Ainsworth Associates (successor to C. T. Male Associates, P.C.)	$22,400.00	$23,845.00

Account No. 2421-9936.
The Commission V O T E D: Approved.
The Commission further V O T E D: authorization for Commissioner Balfour to execute, on behalf of the Commission, Amendments to Open Order Contract No. RP95-0003.

1. Report of Messrs. Wright and Finn, June 8, requesting approval and execution of a Contract-Agreement with Thomas F. McKenna, Esquire, for Professional Services Representing the MDC in Employee and Labor Related Matters - Including Hearings Before the Civil Service Commission, Massachusetts Commission Against Discrimination, Administrative Bodies and Courts of the Commonwealth; and to Provide Such Services as the General Counsel Deems Appropriate in Carrying out the Legal Responsibilities of the MDC.
Time for Performance - July 1, 1995 to June 30, 1996.
Cost not-to-exceed - $30,000.00 - $75.00 per hour.
Account No. 2440-0010.
The Commission V O T E D: Approved.
The Secretary submitted for signature Contract-Agreement, dated June 15, 1995, with Thomas F. McKenna, Esquire, which was signed by the Commissioner and four Associate Commissioners.

2. Report of Mr. Jewett, June 9, recommending approval of and authorization for Commissioner Balfour to execute on behalf of the Commission, Amendment to Open Order Contract No. RP95-0004, for Park Land Acquisition Program FY95 - for Professional Real Estate M.G.L. c. 21E Study Services, which increase the value of the Contract and extends time of performance from June 4, 1995 to June 30, 1995, as follows -

	FROM	TO
Gail Associates	$27,200.00	$38,900.00
Lord Associates	$32,180.00	$33,920.00
Lycott Environmental Research, Inc.	$14,000.00	$33,500.00

Account No. 2441-9886.
The Commission V O T E D: Approved.
The Commission further V O T E D: authorization for Commissioner Balfour to execute, on behalf of the Commission, Amendments to Open Order Contract No. RP95-0004.

3. Report of Miss Overton, June 9, on behalf of the MDC's Clean State Team, requesting authorization to solicit proposals for a Resource Management Plan for the Lands Owned and Managed by the

MDC within Fowl Meadow and Ponkapoag Bog Area of Critical Environmental Concern (ACEC).
Time for Performance - one year.
Cost not-to-exceed - $45,000.0.
Account No. 2410-7872.
The Commission V O T E D: authorization to solicit proposals for a Resource Management Plan for the Lands Owned and Managed by the MDC within Fowl Meadow and Ponkapoag Bog Area of Critical Environmental Concern (ACEC), as requested by Ms. Overton in her report of June 9, 1995.
Associate Commissioner Elkort abstained from voting on this matter.

1. Report of Miss Overton, June 9, requesting approval to enter into a Blanket Contract with Interns for the Esplanade Green Team Program. Funding for the program will be provided by Friends of the Esplanade, with a contribution to the Metropolitan Parks Trust Fund. (Interns will be paid at the rate of $5.00 per hour).
Miss Overton further requested that in order to expedite the project that Commissioner Balfour be authorized to execute the Contracts on behalf of the Commission.
The Commission V O T E D: Approved.

2. Report of Miss Overton, June 9, requesting approval to enter into a Blanket Contract with Interns for the Esplanade Green Team Program. Funding for the program will be provided by Friends of the Esplanade, with a contribution to the Metropolitan Parks Trust Fund.
(Interns will be paid at the rate of $5.00 per hour).
Miss Overton further requested that in order to expedite the project that Commissioner Balfour be authorized to execute the Contracts on behalf of the Commission.
The Commission V O T E D: Approved.

Action was taken upon the following matters relating to the Office of Real Property:

1. Report of Messrs. Gray and Hart, June 1, requesting the following on Contract No. RP95-0003-7, with Schofield Brothers of New England, Inc., for Professional Land Surveying Services for Watershed Lands Acquisition Program -
(a) That work be accepted as completed as of June 1, 1995.
(b) That Invoice No. 1 (Final), in the amount of $23,225.85, be approved for payment.
(c) That retainage, in the amount of $2,622.58, be approved for payment.
(Basis of Award - $26,300.00)
(Total to Date - $26,225.85)
(Contract Administration Rating - 9.00 with 10.00 being excellent).
(EEO Compliance - N/A)
The Commission V O T E D: that the work of Schofield Brothers of New England, Inc., Consultant under Contract No. RP95-0003-7, be and hereby is accepted as complete as of June 1, 1995.

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The Commission further V O T E D: to approve Invoice No. 1 (Final), in the amount of $23,225.85, for payment.
The Commission further V O T E D: to approve release of retainage, in the amount of $2,622.58, for payment.

1. Report of Messrs. Gray and Hart, May 25, requesting the following on Contract No. RP95-0003-1, with Thompson-Liston Associates, Inc., for Professional Land Surveying Services for Watershed Lands Acquisition Program -

(a) That work be accepted as completed as of May 19, 1995.
(b) That Invoice No. 1 (Final), in the amount of $4,770.00, be approved for payment.
(c) That retainage, in the amount of $530.00, be approved for payment.

(Basis of Award - $5,300.00)
(Total to Date - $5,300.00)
(Contract Administration Rating - 9.00 with 10.00 being excellent).
(EEO Compliance - N/A)

The Commission V O T E D: that the work of Thompson-Liston Associates, Inc., Consultant under Contract No. RP95-0003-1, be and hereby is accepted as complete as of May 19, 1995.
The Commission further V O T E D: to approve Invoice No. 1 (Final), in the amount of $4,770.00, for payment.
The Commission further V O T E D: to approve release of retainage, in the amount of $530.00, for payment.

2. Report of Messrs. Gray and Hart, May 25, requesting the following on Contract No. RP95-0003-2, with Berry Engineering, Inc., for Professional Land Surveying Services for Watershed Lands Acquisition Program -

(a) That work be accepted as completed as of May 4, 1995.
(b) That Invoice No. 1 (Final), in the amount of $2,902.50, be approved for payment.
(c) That retainage, in the amount of $322.50, be approved for payment.

(Basis of Award - $3,225.00)
(Total to Date - $3,225.00)
(Contract Administration Rating - 9.00 with 10.00 being excellent).
(EEO Compliance - N/A)

The Commission V O T E D: that the work of Berry Engineering, Inc., Consultant under Contract No. RP-0003-2, be and hereby is accepted as completed as of May 4, 1995.
The Commission further V O T E D: to approve Invoice No. 1 (Final), in the amount of $2,902.50, for payment.
The Commission further V O T E D: to approve release of retainage, in the amount of $322.50, for payment.

1. Report of Mr. Gray, June 9, recommending that the Commission adopt an Order of Taking for acquisition of approximately 249 acres of land owned by Paul B. Morgan, Jr., et al, located in the Town of Princeton, Massachusetts, and to approve an award of damages in the amount of $450,000.00, together with such damages and costs as required under General Laws, Chapter 79, Sections 6, 12, 39 and 44A. Account No. 2420-8936.
The Commission V O T E D: to adopt an Order of Taking for acquisition of approximately 249 acres of land owned by Paul B. Morgan, Jr., et al, located in the Town of Princeton, Massachusetts.

ORDER OF TAKING
COMMONWEALTH OF MASSACHUSETTS
METROPOLITAN DISTRICT COMMISSION

Boston, June 15, 1995.

ORDERED: That the Metropolitan District Commission by virtue of the power and authority conferred upon it by Chapter 564 of the Acts of 1987, Chapter 36 of the Acts of 1992, and Section 117 of Chapter 92 of the General Laws, and acts in amendment thereof or in addition thereto and every other power and authority hereto enabling, for the purposes of said acts and provisions, does hereby order the taking of and does hereby take in fee for watershed preservation, protection and operation purposes, under the provisions of Chapter 79 of the General Laws, in the name and behalf of the Commonwealth of Massachusetts, the following described land situated in the Town of Princeton in the County of Worcester and Commonwealth of Massachusetts, namely:

Certain land in Princeton, Worcester County, Massachusetts, bounded and described as follows:

TRACT I.

A certain tract of land situated in said Town of Princeton, lying easterly of and abutting other land now or formerly of the grantor, and bounded and described as follows:

BEGINNING at the southwest corner bearing South fifty-two and fourteen hundredths (52.14) feet to a point;

THENCE South 81° East four hundred and six and fifty-six hundredths (406.56) feet to a point;

THENCE East two hundred and forty-seven and fifty-hundredths (247.50) feet to a chestnut tree;

THENCE North 50° East three hundred and sixty-six and thirty hundredths (366.30) feet to a point;

THENCE North 50°East one hundred and thirty-two (132) feet to a point;

THENCE North 42° East two hundred and eighty-seven and ten hundredths (287.10) feet to a point;

THENCE North 30° East one hundred and eighty-four and eighty hundreds (184.80) feet to a point;

THENCE North 73 ¼° East one hundred and ninety-three and thirty-eight hundredths (193.38) feet to a point;

THENCE South 87° East ninety-nine (99) feet to a point;

THENCE North 35 ½° East one hundred and eighteen and eight tenths 118.8) feet to a point;

THENCE North 9 ½° East one hundred and eighteen and eight tenths (118.8)feet to a point;

THENCE North 54 ¼° East one hundred and ninety-eight and no hundredths (198) feet to a point;

THENCE North 61° East ninety-nine (99) feet to a point;

THENCE North 78¼° East one hundred seventy-four and ninety hundredths (174.90) feet to a point;

THENCE North 39° West nine hundred and twenty (920) feet to a point;

THENCE North 57° 30′ East four hundred and twenty-two and forty hundredths (422.40) feet to a point;

THENCE North 40° 15′ West one thousand three hundred and sixty-nine and fifty hundredths (1,369.50) feet to a point;

THENCE In a southwesterly direction four hundred (400) feet to a point;

THENCE South 20°15′ West two hundred seventy-five and eighty-eight hundredths (275.88) feet to a point;

THENCE By land now or formerly of one S. Richardson South 20½° West one hundred and fifty (150) feet to a point;

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THENCE South 29½° West two hundred and one and ninety-six hundredths (201.96) feet to a point;

THENCE South 20½° West one hundred and forty-eight and fifty hundredths (148.50) feet to a point;

THENCE South 55° West one hundred and thirty-two and nor hundredths (132) feet to a point;

THENCE South 87° West eighty-five and eighty hundredths (85.80) feet to a point;

THENCE South 75° West one hundred and thirty-two (132) feet to a point;

THENCE South 45½° West one hundred and fifty one and eighty hundredths (151.80) feet to a point;

THENCE South 9° West one hundred and two and thirty hundredths (102.30) feet to a point;

THENCE South 25¼° West sixty-four and sixty eight hundredths (64.68) feet to a point;

THENCE South 44¼° West one hundred and four and ninety-four hundredths (104.94) feet to a point;

THENCE North 55° West forty-nine and five tenths (49.5) feet to a point;

THENCE South 28¼° West fifty-two and eighty hundredths (52.80) feet to a point;

THENCE South 32¼° East thirty-six and thirty hundredths (36.30) feet to a point;

THENCE South 16¼° West one hundred and ten and twenty-two hundredths (110.22) feet to a point;

THENCE South 14½° West fifty-six and seventy-six hundredths (56.76) feet to a point;

THENCE South 3½° East two hundred and eighty-three and eighty hundredths (283.80) feet to a point;

THENCE South 4½° East two hundred and sixty-four and no hundredths (264) feet to a point;

THENCE South 2° East one hundred and thirty-two (132) feet to a point;

THENCE South 5° West two hundred and forty-two and twenty-two hundredths (242.22) feet to a point;

THENCE South 10½° East sixty-six and no hundredths (66) feet to a point;

THENCE South 34½°East one hundred and forty-three and eighty-eight hundredths (143.88) feet by land now or formerly of one Boylston to the land and point of beginning.

Except the land reserved in Book 708, Page 257, but with rights therein subject to rights of others.

Being the same premises conveyed to the grantor by deed dated April 30, 1957 and recorded in the Worcester District Registry of Deeds in Book 3860, Page 33.

TRACT II.

The land in said Town of Princeton, on the easterly side of Worcester Road, sometimes called Wachusett Street, bounded and described as follows:

BEGINNING at the southwesterly corner thereof on said Worcester Road at land formerly of Ward N. Boylston;

THENCE East 3/4° North 30 rods, more or less, by said Boylston land to a corner;

THENCE North 7° East 11 rods, 7 links still by said Boylston land to a corner;

THENCE East 36° North 24 rods still by said Boylston land to a corner;

THENCE East 32 1/2° South 27 rods still by said Boylston land to a corner;

THENCE North 32 1/2° East 15 1/2 rods by land formerly of Sewell Richardson to a corner;

THENCE East 41 3/4° South 8 rods, 3 links still by said Richardson land to a corner;

THENCE North 14 3/4° East 26 rods, 9 links still by said Richardson land to a corner;

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THENCE West 23° North 16 rods, 21 links still by said Richardson land to a corner;

THENCE North 18° East 28 1/2 rods still by said Richardson land to a corner;

THENCE North 5 1/4° West 30 rods by land formerly of John Brooks to a corner;

THENCE West 39 1/2° South 76 rods, 7 links still by said Brooks' land to a corner of walls;

THENCE South 16 1/2° East 12 rods, 18 links by land now or formerly of D.H. Gregory Company, to a corner of walls;

THENCE South 64° West 18 rods still by said Company land to a corner;

THENCE South 86° West 8 rods, 17 links still by said Company land to said road;

THENCE southerly by said road to the point of beginning.

Excepting premises conveyed by deed from the grantor to Richmond S. Hamilton dated May 15, 1954 and recorded in said Registry in Book 3606, Page 500.

Subject to a right of way shown on Plan Book 325, Plan 32 conveyed by the grantor to Eldon E. Snyder, et ux, by deed dated January 30, 1969 and recorded in said Registry in Book 4928, Page 117 and subject to conditions and restrictions therein.

Being a portion of the same premises conveyed to grantor by deed dated March 22, 1954 and recorded in said Registry in Book 3575, Page 120.

TRACT III.

A certain parcel of land in said Town of Princeton on the westerly side of Wachusett Street, bounded and described as follows:

BEGINNING at a point on the westerly side of said street at land now or formerly of R.H. Hamilton & Son, Inc., known as the "Mountain View" Development;

THENCE by said land North 70° 7' 20" West five hundred and twenty-seven and thirty-three hundredths (527.33) feet to land now or formerly of Chase;

THENCE southerly by said Chase land one thousand one hundred forty-seven (1147) feet, more or less, to an angle in the wall;

THENCE running South 34° West one thousand two hundred sixty-three (1263) feet to land now or formerly of William E. Chase, et al, Trustees;

THENCE running South 65° East eight hundred sixty-five (865) feet, more or less, to the westerly side of Wachusett Street;

THENCE running North 13° 40′ East two hundred eighty (280) feet, more or less, to a point;

THENCE running North 10° 30′ East two thousand two hundred sixty (2260) feet, more or less, to the point of beginning.

Subject to rights granted to New England Telephone and Telegraph Co. contained in a deed dated April 22, 1941 recorded in said Registry in Book 2812, Page 368.

Being the same premises described as Tract I in a deed to the grantor dated October 13, 1950 and recorded in said Registry in Book 3294, Page 210.

TRACT IV.

A certain parcel of land in said Town of Princeton on the easterly side of Wachusett Street, bounded and described as follows:

BEGINNING at a point on the easterly side of said street at land, now or formerly, of one Sigourney;

THENCE running easterly as the wall now stands, and by said Sigourney land, two hundred forty (240) feet, more or less, to a point;

THENCE turning and running northerly, by a line parallel to the easterly side of Wachusett Street and distant two hundred forty (240) feet therefrom, about one hundred thirty (130) feet, to a point;

THENCE turning and running easterly, by the southerly side of a club house, to the southeasterly corner thereof;

THENCE running northerly, by the easterly side of said club house, to the northeasterly corner thereof;

THENCE running easterly, about forty (40) feet, to the northwesterly corner of a lane;

THENCE running still easterly, by the northerly side of said lane, one hundred twenty (120) feet, to a point;

THENCE running North 8° 30′ East, by a stone wall, five hundred fifty-four (554) feet, to a point:

THENCE by land, now or formerly, of one Ferguson, North 8° 30′ West, twelve (12) feet, to a point;

THENCE South 79° East, two hundred ten (210) feet, by said Ferguson land, to a point;

THENCE North 7° East, by said Ferguson land, three hundred forty-eight (348) feet, to a point, at land, now or formerly, of said R.H. Hamilton & Son, Inc., known as the "Camp Lot";

THENCE by said "Camp Lot", North 9° East, four hundred eighty (480) feet, to a point, at land, now or formerly, of William S. Brooks;

THENCE by said Brooks land, North 58° 45′ East, two hundred three (203) feet, to a stone bound, set in the wall;

THENCE running South 56° 15′ East, by a stone wall, four hundred fifty (450) feet, to a point, at land, now or formerly, of Annie S. Richardson;

THENCE running South 34° West, eighty-one (81) feet, to a point;

THENCE running South 17° West, two hundred twenty-four (224) feet, to a point;

THENCE running South 5° 15′ West, by a stone wall, six hundred (600) feet, to a point;

THENCE running South 1° 45′ West, by said stone wall, six hundred-five (605) feet, to a point;

THENCE running South 77° East, three hundred forty-eight (348) feet, by a stone wall, to a point on the westerly side of North Lane;

THENCE running by said westerly side of North Lane, South 16° 30′ East, two hundred thirty-four (234) feet, to a point;

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THENCE running still by said westerly side of North Lane, South 23° West, one hundred twenty-seven (127) feet, to a point on the northerly side of Gill Road;

THENCE running easterly, by said northerly side of Gill Road, four hundred fifty-nine and fifty-six hundreds (459.56) feet, more or less, to a point in a stone wall;

THENCE running southerly and crossing said Gill Road, one hundred-ten (110) feet, more or less, to a point, at an angle in a stone wall;

THENCE running South 81° 45′ East, by said stone wall, six hundred fifty-three (653) feet, to a point;

THENCE running South 9° 15′ East, by a stone wall, three hundred-fourteen (314) feet, to a point;

THENCE running still by said stone wall, South 14° 15′ East, eight hundred seventy-four (874) feet, to a point, at land, now or formerly, of Moses C. Goodnow;

THENCE running South 89° 15′ West, by a stone wall, four hundred twenty-four (424) feet, to a point;

THENCE running still by said stone wall, and land, now or formerly, of said Goodnow, South 84° 30′ West, one thousand nine hundred and ninety-six (1996) feet, to a point;

THENCE running North 33° 15′ West, two hundred fifty-eight (258) feet, to a point;

THENCE by a stone wall, North 0° 30′ East, five hundred twenty-eight (528) feet, to a point;

THENCE running North 22° East, by a stone wall, four hundred-six (406) feet, to a point;

THENCE running North 79° 45′ West, by a stone wall, three hundred forty-six and five tenths (346.5) feet, to a point;

THENCE running still by said stone wall, North 74° 15′ West, four hundred twenty-one (421) feet, to a point on the easterly side of Wachusett Street, the last five courses being by land, now or formerly, of William S. Brooks;

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THENCE running northerly, by the easterly side of Wachusett Street, nine hundred eighty-two (982) feet, more or less, to the point and place of beginning.

Excepting premises conveyed by deed from grantor to Philip J. Howard et ux, dated June 8, 1967 and recorded with Worcester District Registry of Deeds, at Book 4765, Page 101.

The above described premises are conveyed with rights of way in Gill Road or Lane, so-called, but subject to possible rights of others therein.

Being a portion of the same premises described as Tract 2 in a deed to the grantor dated October 13, 1950 and recorded with said Deeds at Book 3294, Page 210.

TRACT V.

A certain tract of meadow land in said Town of Princeton known as the Jones Meadow and containing 21 acres and 102 rods, more or less, bounded and described as follows:

COMMENCING at the southwest corner of said tract at the intersection of walls;

THENCE North 1 1/4° West 36 rods;

THENCE North 3 1/4° East 14 rods, 22 links;

THENCE North 1/2° East 20 rods and 24 links;

THENCE North 11 1/4° East 9 rods and 22 links;

THENCE North 19° East 4 rods and 6 links;

THENCE North 29 1/2° East 4 rods and 22 links to land formerly of A.J. Brooks;

The above lines are by land now or formerly of the heirs of the late Ward N. Boylston

THENCE North 35 1/2° East 15 rods and 12 links;

THENCE South 45 1/4° East 8 rods and 3 links along a ditch;

THENCE North 18 1/2° East 26 rods and 9 links in the middle of a brook;

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THENCE North 63° West 16 rods and 21 links along a ditch;

The last four lines are on land now or formerly of said Brooks;

THENCE South 21 1/4° East 28 rods and 7 links;

THENCE South 60 3/4° East 46 rods and 12 links along a ditch;

THENCE South 20 1/2° West 9 rods;

THENCE South 29 1/4° East 12 rods and 6 links;

THENCE South 20 1/2° West 9 rods;

THENCE South 55 3/4° West 8 rods;

THENCE South 67 3/4° West 5 rods and 5 links;

THENCE South 75 3/4° West 8 rods;

THENCE South 45 3/4° West 9 rods and 5 links;

THENCE South 9 3/4° West 6 rods and 5 links;

THENCE South 25 1/4° West 3 rods and 23 links;

THENCE South 44 1/4° West 6 rods and 9 links;

THENCE North 55° West 3 rods;

THENCE South 28 1/4° West 3 rods and 5 links;

THENCE South 32 1/4° East 2 rods and 5 links;

THENCE South 16 1/4° West 6 rods and 17 links;

THENCE South 14 1/4° West 3 rods and 11 links;

THENCE South 3 1/2° East 17 rods and 5 links;

THENCE South 4 1/2° East 16 rods;

THENCE South 2 3/4° East 8 rods;

THENCE South 5° West 14 rods and 17 links;

THENCE South 10 1/2° East 4 rods;

THENCE South 34 1/2° East 8 rods and 18 links;

THENCE North 80° West 21 rods and 17 links to the first bound.

The last line runs by said heirs land, now or formerly, and the 23 previous lines by land now or formerly of John Brooks.

Together with a right of way to pass over the part of lane lying easterly of said tract now or formerly of John Brooks.

Being the same premises described as Tract 3 in a deed to the grantor dated October 13, 1950 and recorded in the Worcester District Registry of Deeds in Book 3294, Page 210.

All of said Tracts I, II, III, IV and V together are said to contain 249 acres, more or less.

Meaning and intending to take hereby the above premises, howsoever the same may be bounded and described, and including any and all fee interest in Wachusett Street which may be held by the supposed owner.

AND IN LIKE MANNER, for the same purposes and by virtue of the same powers, the said Metropolitan District Commission does hereby order the taking of and does hereby take in the name and for the benefit of the Commonwealth of Massachusetts, for the purposes of said acts and provisions, all trees on said land and structures affixed to said land, with the exception of the poles, wires, cables, conduits, pipes and their appurtenances, for the conveyance of water, sewage, steam, gas and electricity, and for the transmission of telephone and telegraph communications and data or signals by electrical or electronic or electromagnetic means of any kind, now lawfully in or upon said land, and excluding all easements of record on, over, under, across and through said land.

The Commission awards damages sustained by the supposed owner of the land hereinabove mentioned by reason of said taking, in the following sum:

OWNER	AWARD
Paul B. Morgan, Jr., or John K. Kimball as Trustee of the Morgan Exchange Trust, or Philip J. Howard and Donna L. Howard	$ 450,000.00

The Commission further V O T E D: to approve an award of damages in the amount of $450,000.00, together with such damages and costs as required under General Laws, Chapter 79, Sections 6, 12, 39 and 44A.

1, Report of Mr. Gray, June 9, recommending that the Commission adopt an Order of Taking for acquisition of approximately 77.7379 acres of land owned by Robert G. Mason, Trustee of Ware River Trust, located in the Town of Princeton, Massachusetts, and to approve an award of damages in the amount of $300,000.00, together with such damages and costs as required under General Laws, Chapter 79, Sections 6, 12, 39 and 44A, and to approve an award of damages and costs in the amount of $500,000.00, as required under General Laws, Chapter 79A. Account No. 2420-8936. The Commission V O T E D: to adopt an Order of Taking for acquisition of approximately 77.7379 acres of land owned by Robert G. Mason, Trustee of Ware River Trust, located in the Town of Princeton, Massachusetts.

ORDER OF TAKING
COMMONWEALTH OF MASSACHUSETTS
METROPOLITAN DISTRICT COMMISSION

Boston, June 15, 1995.

ORDERED: That the Metropolitan District Commission by virtue of the power and authority conferred upon it by Chapter 564 of the Acts of 1987, Chapter 36 of the Acts of 1992, and Section 117 of Chapter 92 of the General Laws, and acts in amendment thereof or in addition thereto and every other power and authority hereto enabling, for the purposes of said acts and provisions, does hereby order the taking of and does hereby take in fee for watershed preservation, protection and operation purposes, under the provisions of Chapter 79 of the General Laws, in the name and behalf of the Commonwealth of Massachusetts, the following described land situated in the Town of Princeton in the County of Worcester and Commonwealth of Massachusetts, namely:

A certain parcel of land lying northerly of Hubbardston Road-Route 62, easterly of the East Branch of the Ware River, and southwesterly of a railroad bed formerly of the Providence and Worcester Railroad, now or formerly of the Boston & Maine Railroad, more particularly bounded and described as follows:

Beginning at a point lying North 0.19 feet, and West 0.03 feet from a Worcester County highway bound found at the intersection of the southwesterly line of a railroad bed, formerly of the Providence & Worcester Railroad, now or formerly, of the Boston & Maine Railroad, with the northerly line of Hubbardston Road-Route 62, a Worcester County Highway (1932 W.C.H. Layout, Decree 820- Plan H-2214-R);

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Thence S. 47° 01′ 55" W., by the highway, 80.61 feet, to a point, South 0.11 feet and East 0.09 feet from a Worcester County highway bound found;

Thence N. 70° 43′ 45" W., by the highway, 126.83 feet, to a Worcester County highway bound found, at a point lying N. 19° 16′ 15" E., 33 feet from Station 16+09.46, as shown on the highway layout referenced above;

Thence Northwesterly by the highway and a curve to the left, with a radius of 1633.00 feet, an arc distance of 593.30 feet, to another Worcester County highway bound found;

Thence Continuing by the highway and the curve, an arc distance of 58.00 feet, to a point at land, now or formerly of Russell H. Mason & Julie A. Ordung;

Thence N. 04° 00′ 00" W., 129.00 feet, to a point;

Thence N. 41° 53′ 40" E., 256.93 feet, to a point;

Thence S. 88° 51′ 07" W., 388.42 feet, to a point;

Thence S. 00° 29′ 03" E., 341.62 feet, to a point on the northerly layout line of Hubbardston Road-Route 62;

Thence Southwesterly, by the highway and the aforementioned curve to the left, with a radius of 1633.00 feet, an arc distance of 310.30 feet, to a point;

Thence S. 67° 38′ 15" W., by the highway, 238.19 feet, to a point, North 0.06 feet and West 0.06 feet from a concrete bound with drill hole found, at property, now or formerly, of the Town of Princeton;

Thence N. 45° 50′ 10" W., 165.64 feet, to an iron pin found;

Thence N. 45° 50′ 48" W., 414 feet, to a stone bound found at land of the Commonwealth of Massachusetts, the last two courses being by land, now or formerly, of the Town of Princeton;

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Thence N. 39° 40′ 00" W., 1094 feet, to a concrete bound set, at other land, now or formerly, of Ware River Realty Trust, Robert G. Mason, Trustee;

Thence S. 51° 57′ 01" W., 780.00 feet, to a point located North 9.86 feet and East 2.55 feet from a stone bound found;

Thence S. 12° 20′ 01" W., 267.50 feet, to a concrete bound set, at land, now or formerly, of the Inhabitants of the Town of Princeton, the last two courses being by land of the Commonwealth;

Thence N. 42° 42′ 08" W., 879.86 feet, by land, now or formerly, of the Inhabitants of the Town of Princeton, to a point at a corner;

Thence S. 27° 51′ 29" W., 318.31 feet, to a stske found;

Thence S. 24° 07′ 48" W., 326.56 feet, to a stake found;

Thence S. 61° 37′ 37" W., 236.41 feet, to a point;

Thence S. 21° 18′ 05" W., 93.11 feet, to an MDC stone bound found, at land, formerly of W.M. & E.D. Roper, now of the Commonwealth of Massachusetts, the last four courses being by land, now or formerly, of the Inhabitants of the Town of Princeton;

Thence N. 46° 47′ 00" W., 64.06 feet, by land of the Commonwealth, and crossing a cart path right of way, to a point;

Thence N. 47° 06′ 59" W., 311.74 feet, to a point located South 2.43 feet and West 0.02 feet from a stone bound found, at the southwesterly corner of the parcel being described;

Thence N. 27° 50′ 01" E., 321.90 feet, to a point located South 1.63 feet and West 1.17 feet from a stone bound found;

Thence N. 34° 45′ 01" E., 157.80 feet, to a point located North 0.32 feet and East 0.10 feet from a stone bound found;

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Thence N. 40° 13′ 01" E., 344.50 feet, to a point located South 0.41 feet and West 0.49 feet from a stone bound found;

Thence N. 13° 16′ 01" E., 411.00 feet, crossing the old county road, to a point located South 0.05 feet and West 0.71 feet from a stone bound found;

Thence N. 44° 01′ 01" E., 562.44 feet, to a point located South 0.06 feet and West 0.63 feet from a stone bound found at a point on the southerly line of the railbed of the Providence & Worcester Railroad, the last six courses being by land, formerly of W.M. & E.D. Roper, now of the Commonwealth;

Thence S. 65° 12′ 20" E., 175.16 feet, to a concrete bound set;

Thence S. 65° 12′ 20" E., 689.17 feet, to a point falling in a 12 inch pine tree growing on the southerly line of the railbed;

Thence S. 65° 17′ 56" E., 1851.57 feet, by the southerly side of the railbed, to a point of curvature;

Thence Southeasterly, by the railbed and a curve to the right, with a radius of 2823.68 feet, an arc distance of 295.28 feet to a stake and stones found;

Thence Southeasterly, by the railbed and a curve to the right, with a radius of 2719.99 feet, an arc distance of 633.72 feet, to a point;

Thence Southeasterly, by the railbed and a curve to the right, with a radius of 4010.25 feet, an arc distance of 147.28 feet, to a point;

Thence S. 42° 58′ 05" E., by the railbed, 282.68 feet, to a point, North 0.19 feet and West 0.03 feet from a Worcester County highway bound found at the intersection of the southerly line of the rail bed with the northerly line of Hubbardston Road-Route 62, being the point and place of beginning.

Containing 77.751 acres, more or less, as calculated based upon the information shown upon the five engineered survey plans referenced at the conclusion of this order.

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The written description recited above is derived from information shown upon the following engineered survey plans:

1) A plan entitled "Plan Of Property Owned By Robert Meagher Hubbardston Road-Route 62, Princeton, Massachusetts", dated November 8, 1988, prepared by Cullinan Engineering Co., Inc., and recorded with Worcester Registry of Deeds as Plan 17 in Plan Book 611.

2) A plan entitled "Plan Of Property Owned By Robert G. Mason Hubbardston Road (RTE. 62), Princeton, Massachusetts", dated January 12, 1989, prepared by Cullinan Engineering Co., Inc., and recorded with said Deeds as Plan 121 in Plan Book 616.

3) A plan entitled "Plan Of Land In Princeton, Mass. Owned By Robert B. & Ethel Mason", dated April 10, 1981, prepared by Rice Engineering, Civil Engineers and Land Surveyors, and recorded with said Deeds as Plan 22 in Plan Book 488.

4) A plan entitled "Plan Of Land In Princeton, Mass. Owned By Robert G. Mason To Be Acquired By Town Of Princeton", dated September 25, 1987, prepared by John R. Lonergan, R.L.S. West Boylston, Mass. and recorded with said Deeds as Plan 10 in Plan Book 587.

5) A plan entitled "Commonwealth of Massachusetts Metropolitan District Commission Division of Watershed Management Princeton (Worcester County) Massachusetts Land Taking Plan For Watershed Protection", dated February 24, 1995, and prepared by Cullinan Engineering Co., Inc., which plan shall be recorded with said Deeds and made a part of this order, except that portion of the plan labeled "Existing Access Easement", for which area the information displayed upon the 4th plan listed above, shall be cited as correct.

Meaning and intending to take hereby the above premises, howsoever the same may be bounded and described, and including any and all fee interest in Hubbardston Road (Route 62) and "the old county road" referred to above, which may be held by the supposed owner, and being almost all of the same premises described in a deed from Robert G. Mason to Robert G. Mason, Trustee of Ware River Realty Trust, dated November 10, 1992 and recorded with said Deeds at Book 14709, Page 205.

The property described above is represented on Princeton Assessors Tax Map 7 as Parcel 39 and, Parcels 3 and 3-1 on Map 11.

AND IN LIKE MANNER, for the same purposes and by virtue of the same powers, the said Metropolitan District Commission does hereby order the taking of and does hereby take in the name and for the benefit of the Commonwealth of Massachusetts, for the purposes of said acts and provisions, all trees on said land and structures affixed to said land, with the exception of the poles, wires, cables, conduits, pipes and their appurtenances, for the conveyance of water, sewage, steam, gas and electricity, and for the transmission of telephone and telegraph communications and data or signals by electrical or electronic or electromagnetic means of any kind, now lawfully in or upon said land, and excluding all easements of record on, over, under, across and through said land.

The Commission awards damages sustained by the supposed owner of the land hereinabove mentioned by reason of said taking, in the following sum:

OWNER	AWARD
Roberty G. Mason, Trustee Ware River Realty Trust	$ 300,000.00

The Commission further V O T E D: to approve an award of damages in the amount of $300,000.00, together with such damages and costs as required under General Laws, Chapter 79, Sections 6, 12, 39 and 44A, and to approve an award of damages and costs in the amount of $500,000.00, as required under General Laws, Chapter 79A.

1. Report of Mr. Gray, June 9, recommending that the Commission adopt an Order of Taking for acquisition of approximately 0.29 acres of land owned by Edward E. McAndrews, et al, Trustees of Quincy Shore Realty Trust, located in the City of Quincy, Massachusetts, and to approve an award of damages in the amount of $128,000.00, together with such damages and costs as required under General Laws, Chapter 79, Sections 6, 12, 39 and 44A. Account No. 2440-8886.
The Commission V O T E D: to adopt an Order of Taking for acquisition of approximately 0.29 acres of land owned by Edward E. McAndrews, et al, Trustees of Quincy Shore Realty Trust, located in the City of Quincy, Massachusetts.

ORDER OF TAKING
COMMONWEALTH OF MASSACHUSETTS
METROPOLITAN DISTRICT COMMISSION

Boston, June 15, 1995.

ORDERED: That the Metropolitan District Commission by virtue of the power and authority conferred upon it by Chapter 564 of the Acts of 1987, and Sections 33 and 79 of Chapter 92 of the General Laws, and acts in amendment thereof or in addition thereto and every other power and authority hereto enabling, for the purposes of said acts and provisions, does hereby order the taking of and does hereby take in fee for park and reservation and protection of open space purposes, under the provisions of Chapter 79 of the General Laws, in the name and behalf of the Commonwealth of Massachusetts, the following described land situated in the City of Quincy in the County of Norfolk and Commonwealth of Massachusetts, namely:

A certain parcel of land situated in said Quincy, as shown on a plan entitled "Plan of Land 725 Quincy Shore Drive, Quincy, Mass." dated August 25, 1989, by Gale Associates, Inc., recorded with Norfolk County Registry of Deeds as Plan No. 865 of 1989 in Plan Book 385, herewith bounded and described as follows:

NORTHEASTERLY	by Quincy Shore Drive, one hundred sixty-five and 69/100 (165.69) feet;
EASTERLY	by a curved line at the intersection of Quincy Shore Drive and west Elm Avenue, fourteen and 25/100 (14.25) feet;
SOUTHWESTERLY	by land now or formerly of Dittman, ninety-nine and 98/100 (99.98) feet;
SOUTHEASTERLY	by said land of Dittman and by land now or formerly of Kyranos, one hundred (100) feet;
SOUTHWESTERLY	again by land now or formerly of Yee and Tseng eighty-six (86) feet;

NORTHWESTERLY by Davis Street, one hundred twenty-nine and 86/100 (129.86) feet; and
NORTHERLY by a curved line at the intersection of said Davis Street and said Quincy Shore Drive, seventeen and 68/100 (17.68) feet, to the point and place of beginning.

Containing approximately 13,004 square feet, more or less.

Meaning and intending to take hereby the above premises, howsoever the same may be bounded and described, and including any and all fee interest in Davis Street and Quincy Shore Drive which may be held by the supposed owners, and being the same premises described in a deed from Roger W. Kent to Edward E. McAndrews and Thomas J. Rypkema, Trustees of Quincy Shore Realty Trust, dated September 12, 1989, and recorded with said Registry of Deeds in Book 8427, Page 497.

AND IN LIKE MANNER, for the same purposes and by virtue of the same powers, the said Metropolitan District Commission does hereby order the taking of and does hereby take in the name and for the benefit of the Commonwealth of Massachusetts, for the purposes of said acts and provisions, all trees on said land and structures affixed to said land, with the exception of the poles, wires, cables, conduits, pipes and their appurtenances, for the conveyance of water, sewage, steam, gas and electricity, and for the transmission of telephone and telegraph communications and data or signals by electrical or electronic or electromagnetic means of any kind, now lawfully in or upon said lands, and excluding all easements of record on, over, under, across and through said land.

The concurrence of the Park and Recreation Commissioners of the City of Quincy, pursuant to section 79 of Chapter 92 of the General Laws, as amended, is either attached hereto or shall be recorded with said Deeds and made a part hereof.

The Commission awards damages sustained by the supposed owners of the land hereinabove mentioned by reason of said taking, in the following sum:

OWNERS	AWARD
Edward E. McAndrews and Thomas J. Rypkema, Trustees of Quincy Shore Realty Trust	$ 128,000.00

The Commission further V O T E D: to approve an award of damages in the amount of $128,000.00, together with such damages and costs as required under General Laws, Chapter 79, Sections 6, 12, 39 and 44A.

1. Report of Mr. Gray, June 9, recommending that the Commission adopt an Order of Taking for acquisition of approximately 16.124 acres of land owned by Paul B. Lenkarski, et ux, located in the Town of West Boylston, Massachusetts, and to approve an award of damages in the amount of $300,000.00 together with such damages and costs as required under General Laws, Chapter 79, Sections 6, 12, 39 and 44A. Account No. 2420-8936.
The Commission V O T E D: to adopt an Order of Taking for acquisition of approximately 16.124 acres of land owned by Paul B. Lenkarski, et ux, located in the Town of West Boylston, Massachusetts.

ORDER OF TAKING
COMMONWEALTH OF MASSACHUSETTS
METROPOLITAN DISTRICT COMMISSION

Boston, June 15, 1995.

ORDERED: That the Metropolitan District Commission by virtue of the power and authority conferred upon it by Chapter 564 of the Acts of 1987, Chapter 36 of the Acts of 1992, and Section 117 of Chapter 92 of the General Laws, and acts in amendment thereof or in addition thereto and every other power and authority hereto enabling, for the purposes of said acts and provisions, does hereby order the taking of and does hereby take in fee for watershed preservation, protection and operation purposes, under the provisions of Chapter 79 of the General Laws, in the name and behalf of the Commonwealth of Massachusetts, the following described land situated in the Town of West Boylston in the County of Worcester and Commonwealth of Massachusetts, namely:

A certain parcel of land lying on the northerly side of Lancaster Street-Route 110, northeasterly of Lancaster Lane, partially encumbered with a 250 foot wide New England Power Company Power Line Easement, and westerly of a parcel of land, now of the Commonwealth of Massachusetts, formerly of Ada A. Whittemore, more particularly bounded and described, as follows:

Beginning at a point on the northerly layout line of Lancaster Street-Route 110, at the southeasterly corner of land, now or formerly, of Marie T. Wilkinson, a lot shown as Lot 6 upon a survey plan entitled "Plan Of Phase I-Lots 1-7 'Lancaster Commons' In West Boylston Prepared For Paul B. Lenkarski", dated February 12, 1992, prepared by Berry Engineering, Inc., and recorded with Worcester District Registry of Deeds as Plan 5 in Plan Book 658, at a gun barrel set at a point on the curve, said point lying 195

feet, more or less, northeasterly of the intersection of the center line of Lancaster Lane with the northerly line of Lancaster Street-Route 110;

Thence N. 15° 36′ 38" E., 136.58 feet, to another gun barrel set;

Thence S. 79° 30′ 35" W., 31.82 feet, to a gun barrel set at the southeasterly corner of Lot 8A, of the Lancaster Commons Subdivision, as shown upon a plan referenced at the conclusion of this description;

Thence N. 00° 27′ 58" E., by the easterly lines of Lots 8A, 9A, 10A, 11A, and an unnumbered Open Space Lot of 2.487 acres, 688.59 feet, to a point;

Thence N. 16° 04′ 51" E., still by the easterly line of the Open Space Lot, 374.68 feet, to a stone cairn found, at land, now or formerly, of Thomas A. & Susan E. Morris, as shown upon a plan entitled "Plan Of Land In West Boylston Prepared For Susan A. Lenkarski", dated 27 September, 1993, prepared by Berry Engineering, Inc., and recorded with said Deeds as Plan 67 in Plan Book 676;

Thence N. 08° 49′ 07" E., 332.17 feet, still by land, now or formerly, of T.A. & S. E. Morris, to a stone cairn found at the northwesterly corner of the parcel being described herein;

Thence S. 75° 11′ 11" E., 371.12 feet, partially by land, now or formerly, of T.A. & S.E. Morris, and partially by land, now or formerly, of Alexander & Rosalie Fallavollita, to a stone cairn at a corner;

Thence S. 07° 07′ 58" W., 355.94 feet, to a stone cairn found;

Thence S. 04° 33′ 35" E., 379.99 feet, to an iron pin;

Thence S. 04° 54′ 35" E., entering and running by a stone wall, 198.96 feet, to an MDC bound found, at land, formerly of Ada A. Whittemore, now of the Commonwealth of Massachusetts, the last three courses being by land, now or formerly, of A. & R. Fallavollita;

Thence S. 12° 02′ 00" E., by the stone wall, 192.50 feet, to an iron pin set in the wall;

Thence S. 12° 53′ 08" E., by the wall, 249.70 feet, to a drill hole set;

Thence S. 11° 07′ 32" E., by the wall, 47.62 feet, to a drill hole on the northerly layout line of Lancaster Street-Route 110, the last three courses being by land of the Commonwealth;

Thence Southwesterly by the northerly layout line of Lancaster Street-Route 110, and a curve to the right with a radius of 541.88 feet, an arc distance of 233.59 feet, to a Massachusetts Highway bound;

Thence N. 87° 16′ 29" W., by the highway, 249.84 feet, to a point at the southeasterly corner of land, now or formerly, of Kevin P. Nee & Christa Thompson;

Thence N. 02° 40′ 41" E., 144.97 feet, to a corner;

Thence N. 87° 19′ 19" W., 100.76 feet, to a corner;

Thence S. 00° 36′ 38" E., 146.27 feet, to a gun barrel set at a point on the northerly layout line of Lancaster Street-Route 110, the last three courses being by land, now or formerly, K. Nee & C. Thompson;

Thence Southwesterly by the northerly line of the highway, and a curve to the left with a radius of 829.00 feet, an arc distance of 24.01 feet to the first mentioned gun barrel, at the corner of the "Wilkinson Lot", being the point and place of beginning. The last fourteen courses are recited as shown upon the second survey plan referenced above, recorded as Plan 67 in Plan Book 676.

Containing 16.124 acres, more or less, as shown as Parcel A upon a plan entitled " Plan of Land in West Boylston Prepared For Lancaster Commons, Inc., dated 9 March 1993, and drawn by Berry Engineering, Inc., which plan is on file with the Metropolitan District Commission, at its Real Property Office, 20 Somerset Street, 8th Floor, Boston, MA 02108. The stated purpose of this "revised plan" was to modify in part a similar plan by Berry Engineering, Inc., dated 25 January 1993, and revised 20 February 1993, to enlarge lots 8, 9, 10 & 11 and the open space. The original plan was recorded with Worcester District Registry of Deeds as Plan 87 in Plan Book 670.

Only the second, third and forth courses as described above are taken from the revised unrecorded survey plan referenced above, on file at MDC Headquarters.

Meaning and intending to take hereby the above premises, howsoever the same may be bounded and described, and including any and all fee interest in Lancaster Street-Route 110 which may be held by the supposed owners, and being the easterly portion of the premises described in a deed from Elena J. Vercellone to Paul B. and Susan A. Lenkarski, dated January 9, 1985 and recorded with Worcester District Registry of Deeds at Book 8523, Page 72.

The above described property is represented upon West Boylston Assessors Tax Map 131 as the easterly portion of Parcel 79.

AND IN LIKE MANNER, for the same purposes and by virtue of the same powers, the said Metropolitan District Commission does hereby order the taking of and does hereby take in the name and for the benefit of the Commonwealth of Massachusetts, for the purposes of said acts and provisions, all trees on said land and structures affixed to said land, with the exception of the poles, wires, cables, conduits, pipes and their appurtenances, for the conveyance of water, sewage, steam, gas and electricity, and for the transmission of telephone and telegraph communications and data or signals by electrical or electronic or electromagnetic means of any kind, now lawfully in or upon said land, and excluding all easements of record on, over, under, across and through said land.

The Commission awards damages sustained by the supposed owners of the land hereinabove mentioned by reason of said taking, in the following sum:

OWNERS	AWARD
Paul B. Lenkarski and Susan A. Lenkarski	$ 300,000.00

The Commission further V O T E D: to approve an award of damages in the amount of $300,000.00 together with such damages and costs as required under General Laws, Chapter 79, Sections 6, 12, 39 and 44A.

1. Report of Mr. Gray, June 9, recommending that the Commission adopt an Order of Taking for acquisition of approximately 15.5 acres of land owned by Lloyd W. Vanasse, Trustee of Sterling Road Trust, located in the Town of Princeton, Massachusetts, and to approve an award of damages in the amount of $25,000.00, together with such damages and costs as required under General Laws, Chapter 79, Sections 6, 12, 39 and 44A. Account No. 2420-8936. The Commission V O T E D: to adopt an Order of Taking for acquisition of approximately 15.5 acres of land owned by Lloyd W. Vanasse, Trustee of Sterling Road Trust, located in the Town of Princeton, Massachusetts.

ORDER OF TAKING
COMMONWEALTH OF MASSACHUSETTS
METROPOLITAN DISTRICT COMMISSION

Boston, June 15, 1995.

ORDERED: That the Metropolitan District Commission by virtue of the power and authority conferred upon it by Chapter 564 of the Acts of 1987, Chapter 36 of the Acts of 1992, and Section 117 of Chapter 92 of the General Laws, and acts in amendment thereof or in addition thereto and every other power and authority hereto enabling, for the purposes of said acts and provisions, does hereby order the taking of and does hereby take in fee for watershed preservation, protection and operation purposes, under the provisions of Chapter 79 of the General Laws, in the name and behalf of the Commonwealth of Massachusetts, the following described land situated in the Town of Princeton in the County of Worcester and Commonwealth of Massachusetts, namely:

Three certain contiguous parcels of land lying off the northerly side of Sterling Road, north of Parker Place, on the northerly bank of Babcock Brook, more particularly bounded and described, as follows:

Parcel 1

Beginning at the remains of an elm tree in the angle of the brook, at a point on the westerly line of Parcel 2, described below, being land formerly of Gustaf P. Sorblom;

Thence N. 28° 30′ W., 33 and 3/4 rods, or 556.875 feet, by Parcel 2 and land now or formerly of Albert J. & Josephine M. Calcia, to a stake and stones at land formerly of Donald R. Mathieu, being the southeasterly corner of Lot 15 and the northeasterly corner of Lot 14 as shown upon a

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plan by Reney Brothers, Inc., dated June 9, 1978, and recorded with Worcester District Registry of Deeds as Plan 26 in Plan Book 453, being the northeasterly corner of the parcel being described;

Thence S. 77° 22′ 25" W., 22 rods, or 363.00 feet, by Lot 14 referred to above, to a stake and stones at the northwesterly corner of the parcel being described;

Thence S. 06° 22′ 25" W., 24 and 1/2 rods, or 404.25 feet, by Lot 14, to a point on Babcock Brook;

Thence Easterly and southerly by the brook, as it runs, to the remains of the elm tree first mentioned, being the point and place of beginning.

This parcel is supposed to contain 4 acres and 125 rods by deed description, and as shown as "Tract #20 Buck Deeds" upon a plan drawn by Wm. P. Ray C.E., dated May 21, 1930, and entitled " 'Roper Lot' Princeton, Mass. Owned By The Howe Lumber Company Marlboro, Mass.", which plan is recorded with said Deeds in Deed Book 2524, following Page 181.

The parcel is represented upon Princeton Assessors Tax Map 13 as Parcel 21, a 5 acre lot.

Parcel 2

Beginning at a point on the northerly line of land, formerly of Charles Webb, described below as Parcel 3, being a point on the northerly line of Babcock Brook;

Thence N. 60° 30′ E., by Parcel 3, 16 rods, or 264 feet, to a stake and stones, at land now or formerly of Albert J. & Josephine M. Calcia;

Thence N. 19° W., 41 rods, or 676.5 feet, to a stake and stones at the northwesterly corner of the parcel being described;

Thence S. 77° W., 17 rods, or 280.5 feet, to a point on the easterly line of Parcel 1 described above, the last two courses being by land now or formerly of A.J. & J.M. Calcia;

Thence S. 28° 30′ E., 32 rods, or 528 feet, by Parcel 1, to the line of Babcock Brook;

Thence Southerly and easterly by the line of the brook to the first mentioned point on the northerly line of Parcel 3 described below, being the point and place of beginning.

Containing 3 and 1/2 acres, by deed description.

Parcel 2 as above described is represented upon Princeton Assessors Tax Map 13 as Parcel 20.

Parcel 3

Beginning at the most southerly corner of the parcel being described, at a stake and stones by Babcock Brook, at land now or formerly of one Gemelli;

Thence N. 50° E., 6 rods, or 99 feet, to a point;

Thence N. 21° E., 44 rods, or 726 feet, to a point, at land now or formerly of A.J. & J.M. Calcia, the last two courses being by land now or formerly of Gemelli;

Thence N. 38° W., 17 rods and 22 links, or 295.02 feet, to a point at the northwesterly corner of the parcel being described;

Thence S. 60° 30′ W., 17 rods, or 280.5 feet, to a point at the southeasterly corner of Parcel 2 described above, the last two courses being by land now or formerly of A.J.& J.M. Calcia;

Thence On the same bearing, and by the southeasterly line of Parcel 2, 16 rods, or 264 feet, to the brook;

Thence By the line of the brook to the first mentioned stake and stones, being the point and place of beginning.

Containing 7 acres by deed description, and as shown as the 'Aldrich Lot'upon a plan drawn by Wm. P. Ray C.E. dated May 21, 1930 and entitled "'Aldrich Lot' Princeton, Mass. Owned By Howe Lumber Company Marlboro, Mass.", which plan is recorded with said Deeds in Deed Book 2524, following Page 181.

This parcel is represented upon Princeton Assessors Tax Map 13 as Parcel 19.

Meaning and intending to take hereby the above premises, howsoever the same may be bounded and described, and including any and all fee interest in "Babcock Brook" so-called which may be held by the supposed owner, and being the same premises described in two deeds, the first deed conveying Parcels 1 and 3 above, being from Kenneth W. Forslund to Lloyd W. Vanasse, Trustee of the Sterling Road Trust, dated September 9, 1985 and recorded with said Deeds in Book 8942, Page 213, and the second deed conveying Parcel 2 above, being from Gustaf P. Sorblom to Lloyd W. Vanasse as Trustee of the Sterling Road Trust, dated September 28, 1987 and recorded with said Deeds in Book 10860, Page 88.

AND IN LIKE MANNER, for the same purposes and by virtue of the same powers, the said Metropolitan District Commission does hereby order the taking of and does hereby take in the name and for the benefit of the Commonwealth of Massachusetts, for the purposes of said acts and provisions, all trees on said land and structures affixed to said land, with the exception of the poles, wires, cables, conduits, pipes and their appurtenances, for the conveyance of water, sewage, steam, gas and electricity, and for the transmission of telephone and telegraph communications and data or signals by electrical or electronic or electromagnetic means of any kind, now lawfully in or upon said land, and excluding all easements of record on, over, under, across and through said land.

The Commission awards damages sustained by the supposed owner of the land hereinabove mentioned by reason of said taking, in the following sum:

OWNER	AWARD
Lloyd W. Vanasse, Trustee of Sterling Road Trust	$ 25,000.00

The Commission further V O T E D: to approve an award of damages in the amount of $25,000.00, together with such damages and costs as required under General Laws, Chapter 79, Sections 6, 12, 39 and 44A.

Adjourned at 11:30 a.m., to meet on Thursday, June 22, 1995, at 9:00 a.m.

William F. Cushing
Secretary

A J BOOKBINDER

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